

Voting Procedures

Chairman: Introduce the item

Staff: Presents the item

Chairman: Asks for those wishing to speak in support, then asks for those wishing to speak in opposition. Note: Planning Commission does not “debate” the issue at this time.

Chairman: Following presentations by staff and comments by the public, the chairman asks for a (main) motion. Motions should be in the positive not the negative.
Examples: I move to Approve as submitted or I move to approve with staff comments.

Chairman: Asks for discussion on the main motion.

Planning Commission: Discussion, questions and debate by the planning commission. It is very helpful if the Planning Commission articulate why they are voting on an item and especially if voting against the motion to approve.

Chairman: Following Planning commission discussion, the chairman asks for any amendments. If there are any amendments then a motion to amend and a second is required. Ask for discussion on the motion to amend. Then vote on the amendments and if the amendments are approved, then;

Chairman: Calls for a vote on the amended main motion, or
If the main motion was not amended then vote on the main motion.

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
AGENDA
ROSE ROOM
CREEKMORE PARK COMMUNITY CENTER
5:30 P.M.
September 11, 2018**

I. ROLL CALL

II. APPROVAL OF MINUTES FROM August 14, 2018

III. STAFF COMMENTS AND PROCEDURES

1. Pinnacle Park, Lots 1-53- Final Plat- A request by Crafton Tull & Associates.
2. Master Land Use Plan #7-9-18; A request by Brett Abbott, agent for Brooks Norris, for a Master Land Use Plan Amendment from not classified to General Commercial & Residential Attached at 12727 Old US 71 Hwy.
3. Rezoning Application #22-9-18; A request by Brett Abbott, agent for Brooks Norris, for a zone change from not zoned to Commercial Moderate (C-3) and Residential Multifamily Medium Density (RM-3) by classification and a request to defer the Development Plan at 12727 Old US 71 Highway.
4. Development Plan #11-9-18; A request by Brett Abbott, agent for Keith Lau, for a development plan approval for a duplex development at 1001, 1011, and 1021 North 49th Street.

**RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT**

5. Variance #26-9-18; A request by Neal Morrison, agent, for Four Corks, LLC, for a variance from wall sign allowance requirements and from the UDO, Section 27-602-(C)(2)(3) high-quality material requirements at 8000 South Zero Street.

**RECESS BOARD OF ZONING ADJUSTMENT
CONVENE PLANNING COMMISSION**

6. Development Plan #12-9-18; A request by Neal Morrison agent, for Four Corks, LLC, for a development plan approval for a beer, wine and liquor store with drive-through and off-site parking lot at 7950 and 8000 South Zero Street.
7. Off-Site Parking; A request by Nicole Swanson/Hutchison Court Commercial, LLC, for a remote parking agreement at 7910 Zero Street.

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES**

ROSE ROOM: CREEKMORE PARK COMMUNITY CENTER

August 14, 2018 – 5:30 P.M.

On roll call, the following commissioners were present: Don Keesee, Richard Morris, Shane Laster, Vicki Newton, Kelly Wilson, Ret Taylor, and Bob Cooper. The following commissioner was absent: Marshall Sharpe.

Chairman Keesee then called for the vote on the minutes from the July 10, 2018, meeting. Commissioner Cooper moved, seconded by Commissioner Morris, to approve the minutes as written.

Mr. Wally Bailey spoke on the procedures.

1. Lakeside Crossing, Lots 1-61- Final Plat- A request by Crafton Tull & Associates.

Chairman Keesee introduced item 1. Ms. Brenda Andrews read the staff report indicating approval of the proposed final plat would facilitate the development of single family homes. Ms. Andrews stated that the developer was planning an additional lot located north of the detention pond. Ms. Andrews further stated that the additional lot met all the bulk and area requirements for the Residential Single Family Medium-High Density (RS-3) zoning.

Connor Threet was present to represent this application.

No one was present to speak in favor or opposition of this application.

Chairman Keesee called for a motion on the final plat. Commissioner Morris moved, seconded by Commissioner Taylor, to approve the final plat, subject to the following staff comments:

- After all the required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the county clerk.

There was no discussion. Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 6 in favor and 1 abstention (Commissioner Cooper). Chairman Keesee announced the final plat was approved.

2. Rezoning Application #20-8-18; A request by Ron Brixey, agent, for Willowbrook, LLC, and Central Christian Church, for a zone change from Residential Multifamily Medium Density (RM-3) to a Planned Zoning District (PZD) by extension at 5601 Park Avenue.

Chairman Keesee introduced item 2. Ms. Maggie Rice read the staff report indicating approval of the proposed rezoning would allow the single family home at 5601 Park Avenue to be incorporated with the adjacent Planned Zoning District (PZD) permitting it to be utilized as student housing. Ms. Rice further stated that there was a driveway on the northwest corner of the

Development. Ms. Rice stated that a neighborhood meeting was held on Monday, August 6, 2018, at 5:30 p.m. at 400 North Waldron Road. Ms. Rice further stated that one property owner was in attendance but had no objections.

Tim Beasley was present to represent this application.

Mark Spradlin (3920 Free Ferry Road) was present to speak in favor of this application.

Mr. Dang Boylan (5323 Park Avenue) had questions regarding the project.

Commissioner Taylor asked Mr. Beasley about the potential traffic concerns and if the church would be willing to contribute to a sidewalk. Mr. Beasley stated that it was a good idea for a sidewalk, but it was not required for the development. Mr. Beasley further stated that any foot traffic would be generated on site.

Chairman Keesee called for a motion on the rezoning. Commissioner Cooper moved, seconded by Commissioner Newton, to approve the rezoning, subject to the following staff comments:

- On-site parking shall comply with the UDO parking requirements regarding number of required parking spaces and the size and maneuvering areas for the parking spaces.

Following the discussion by the planning commission, Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the rezoning was approved.

- 3. Master Land Use Plan #6-8-18; A request by Ron Brixey, agent, for Willowbrook, LLC, and Central Christian Church, for a Master Land Use Plan Amendment from Residential Detached and Public/Institutional to Residential Attached at 402 North Waldron Road.**
- 4. Rezoning Application #21-8-18; A request by Ron Brixey, agent, for Willowbrook, LLC, and Central Christian Church, for a zone change from a Planned Zoning District (PZD) to Residential Multifamily Medium Density (RM-3) by extension at 402 North Waldron Road.**
- 5. Development Plan #9-8-18; A request by Ron Brixey, agent, for Willowbrook, LLC, and Central Christian Church, for a development plan approval for a duplex development at 402 North Waldron Road.**

Chairman Keesee introduced items 3, 4 and 5. Ms. Maggie Rice read the staff report indicating approval of the proposed master land use plan amendment, rezoning and development plan would allow the construction of a multifamily development consisting of 13 duplexes and one single family house (27 dwelling units). Ms. Rice stated that a neighborhood meeting was held

Wednesday, August 8, 2018, at 4:00 p.m. at 5601 Park Avenue. No surrounding property owners attended the meeting.

No one was present to speak in favor or opposition of the master land use plan amendment.

Mark Spradlin was present to represent the master land use plan amendment.

Chairman Keesee called for a motion on the master land use plan amendment. Commissioner Cooper moved, seconded by Commissioner Wilson, to approve the master land use plan amendment, subject to the following staff comments:

- Contingent upon approval of the companion rezoning application and development plan.

There was no discussion. Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the master land use plan amendment was approved.

4. Rezoning Application #21-8-18; A request by Ron Brixey, agent, for Willowbrook, LLC, and Central Christian Church, for a zone change from a Planned Zoning District (PZD) to Residential Multifamily Medium Density (RM-3) by extension at 402 North Waldron Road.

No one was present to speak in favor or opposition of the rezoning.

Mark Spradlin was present to represent the rezoning.

Chairman Keesee called for a motion on the rezoning. Commissioner Taylor moved, seconded by Commissioner Laster, to approve the rezoning, subject to the following staff comments:

- Contingent upon approval of the companion master land use plan amendment and development plan.

There was no discussion. Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the rezoning was approved.

5. Development Plan #9-8-18; A request by Ron Brixey, agent, for Willowbrook, LLC, and Central Christian Church, for a development plan approval for a duplex development at 402 North Waldron Road.

No one was present to speak in favor or opposition of the development plan.

Mark Spradlin was present to represent the development plan.

Mr. Wally Bailey informed Mr. Spradlin that the planning commission's approval of the Development Plan would include the understanding that the driveway located on the northwest corner of the property is tentative and might not be included with the development of the site.

Commissioner Taylor asked Mr. Bailey if the Planning Department had notified the previous property owners on this development. Mr. Bailey stated that the Planning Department notified the property owners within 300feet of this property and also the property owners within 300feet of the previous application. That was approved on March 6, 2018, by the Board of Directors.

Chairman Keesee called for a motion on the development plan. Commissioner Cooper moved, seconded by Commissioner Newton, to approve the development plan, subject to the following staff comments:

- Approval of the companion master land use plan amendment and rezoning application.
- All exterior lighting must comply with the UDO lighting regulations.
- Any signage must comply with signage allowed for multifamily developments.

Following the discussion by the planning commission, Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the development plan was approved with the understanding that the driveway located on the northwest corner of the property is tentative and might not be included with the development of the site.

6. Conditional Use #8-8-18; A request by Thomas E. Howard, agent, for Ireland Alexander, LLC, for a restaurant with outdoor dining at 7001 Phoenix Avenue.

Chairman Keesee introduced item 6. Mr. Wally Bailey read the staff report indicating approval of the proposed conditional use would allow for outdoor dining with 40 seats in a Commercial Heavy (C-5) zone. Mr. Bailey stated that a neighborhood meeting was held Thursday, August 9, 2018, on site at 2:00 p.m. No surrounding property owners attended the meeting.

No one was present to speak in favor or opposition of this application.

Mr. Thomas Howard was present to represent this application.

Chairman Keesee called for a motion of the conditional use. Commissioner Cooper moved, seconded by Commissioner Taylor, to approve the conditional use, subject to the following staff comments:

- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-330-7 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

- All signage must comply with the UDO and the Phoenix Avenue Overlay District signage regulations.
- The applicant shall submit exterior lighting details to show compliance with the UDO Commercial and Outdoor Lighting regulations.
- The applicant shall submit a detailed landscaping plan with species, sizes, quantities, and spacing in compliance with the UDO.

There was no discussion. Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the conditional use was approved.

7. Rezoning Application #19-8-18; A request by Jonathan Bench, agent, for Quentin Willard, for a zone change from not zoned to a Planned Zoning District (PZD) at 7500 Fort Chaffee Blvd.

Chairman Keesee introduced item 7. Ms. Brenda Andrews read the staff report indicating approval of the proposed rezoning would allow the existing microbrewery to install an outdoor dining deck and outdoor patio. Ms. Andrews stated that a neighborhood meeting was held Monday, August 13, 2018, at 12:30 p.m. at 7500 Fort Chaffee Boulevard. No surrounding property owners attended the meeting.

No one was present to speak in favor or opposition of this application.

Chairman Keesee called for a motion of the conditional use. Commissioner Taylor moved, seconded by Commissioner Cooper, to approve the rezoning.

There was no discussion. Chairman Keesee called for a vote on the motion to approve the application. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the rezoning was approved.

**RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT**

8. Variance #25-8-18; A request by Maria Barroso, owner, for the following variances: 1)from 20' to 7.1' exterior side-yard setback; 2) from 10' to 7.3' rear-yard setback; and 3) from 5' to 3.2' interior side-yard setback at 1315 North M Street.

Chairman Keesee introduced item 8. Ms. Brenda Andrews read the staff report indicating approval of the proposed variance would allow for two additions to the existing single-family residence increasing the house by 619 s.f. After the additions the house will consist of 1,663 s.f. Ms. Andrews stated that a neighborhood meeting was held Wednesday, August 8, 2018, at 3:00

p.m. on site. One neighborhood property owner attended the meeting and had no objections to the variance.

No one was present to speak in favor or opposition of this application.

Ms. Maria Barroso was present to represent this application.

Chairman Keesee called for a motion of the variance. Commissioner Cooper moved, seconded by Commissioner Morris, to approve the variance, subject to the following staff comments:

- Contingent upon the submitted development plan.

There was no discussion. Chairman Keesee called for a vote on the motion to approve the application with staff comments. The vote was 7 in favor and 0 opposed. Chairman Keesee announced the variance was approved.

There being no further items, the meeting adjourned at approximately 6:15 p.m.

Memo

To: City Planning Commission

From: Planning Staff

Date: September 5, 2018

Re: Pinnacle Park, Lots 1-53 – Final Plat – Crafton Tull & Associates

SUBDIVISION LOCATION

The property is located east of McClure Drive with frontages on Wells Lake Road and Veterans Avenue. The site contains approximately 11.5 acres.

PROPOSED LAND USES

Approval of the proposed final plat will facilitate the development of single family, zero-lot line homes in a gated subdivision with private streets.

EXISTING ZONING

The property is zoned a Planning Zoning District.

PROPOSED LOT SIZE

The lots range in width from 50' to 60' and contain a lot area from approximately 5,500 s.f. to 6,500 s.f.

PROPOSED SITE FEATURES

Access – Two ingress and egress will be provided by proposed streets intersecting with Veterans Avenue and Wells Lake Road.

Landscaping – A 20' perimeter landscape area is proposed on the subdivision frontages abutting Veterans Avenue and Wells Lake Road.

Sidewalks – 5' wide sidewalks are proposed on one side of all internal streets in compliance with the Unified Development Ordinance. Sidewalks are also proposed adjacent to the subdivision on Veterans Avenue and Wells Lake Road.

Detention Pond – A detention pond is proposed at the northeast corner of the site.

STAFF RECOMMENDATION

We recommend approval of the final plat with the following comment:

After all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the Sebastian County Clerk

Final Plat for Pinnacle Park Subdivision

The Providence Subdivision

College
Legend

Item 1

Building
ARCBEST Corporation

Wells Lake Road

Phoenix Metals

Umarex

Mars Petcare

Graphic P

Lakeside Crossing

Chad Colley Boulevard

Nature Center

Stonecrest Subdivision

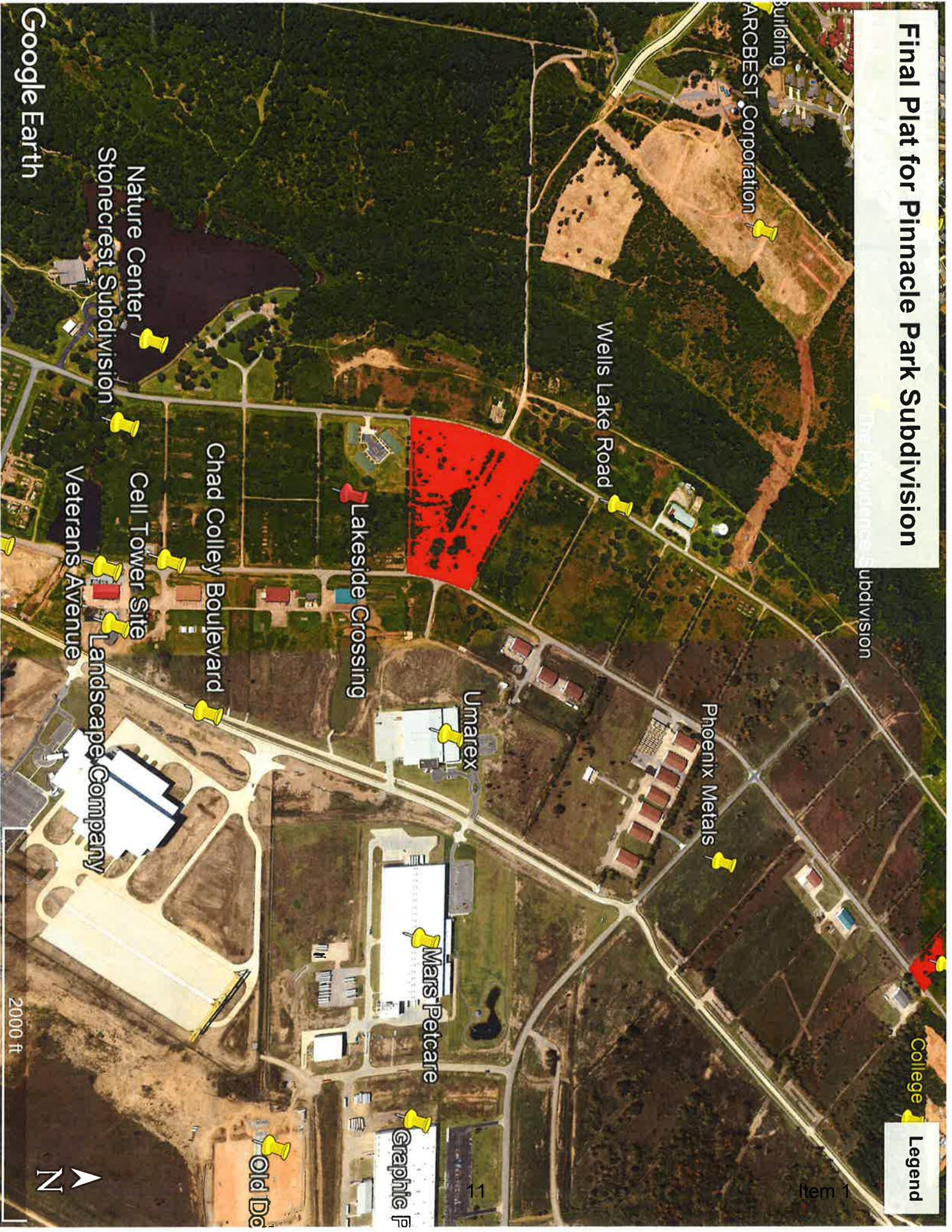
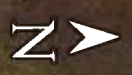
Cell Tower Site

Veterans Avenue

Landscape Company

Google Earth

2000 ft



Master Land Use Plan Amendment

Memo

To: City Planning Commission

From: Planning Staff

Date: August 28, 2018

Re: Proposed Master Land Use Plan Amendment #7-9-18 - by Brett Abbott, agent for Brooks Norris, at 12727 Old Highway 71 from Not Classified to General Commercial and Residential Attached

The Planning Department is in receipt of an application from Brett Abbott, agent for Brooks Norris, to amend the Master Land Use Map from Not Classified to General Commercial and Residential Attached to accommodate a proposed Commercial Moderate (C-3) and Residential Multifamily Medium Density (RM-3) zoning request. The subject property is on the east side of Old Highway 71 at the intersection of Tennessee Ridge Road. The tract contains an area of 15.73 acres with approximately 478 feet of street frontage along Old Highway 71 and 112 feet of street frontage along US Highway 71.

The property is currently Not Zoned. A companion zoning application requests a Commercial Moderate (C-3) and Residential Multifamily Medium Density (RM-3) zoning district. The Master Land use Plan is a guide to zoning and development and must be considered with the companion application.

ADJACENT LAND USE CLASSIFICATIONS AND USES

Land Use classification and use contiguous to the subject lot are as follows:

The area to the north is classified as Not Classified and is undeveloped.

The area to the east is classified as Light Industrial (ETJ) and is developed as an industrial subdivision.

The area to the south is classified as Not Classified (ETJ) and is developed as a single family residence along with undeveloped property.

The area to the west is classified as Not Classified and is developed as single family residences.

PROPOSED LAND USE CLASSIFICATIONS

The proposed Land Use classification of General Commercial is described as follows:

Characteristics and Use:

To provide opportunities for business transactions and activities, and meet the consumer needs of the community.

Criteria for Designation:

Compliance Noted

- | | |
|--|------------|
| • Compatible with and complimentary to surrounding uses. | YES |
| • Located on high volume arterials and collectors | YES |
| • Located as a cluster of like services | YES |
| • Accessible by most modes of transportation | YES |
| • Appropriately located for minimum impact of adjacent uses, and, by volume of activity and trips generated by use | YES |

The proposed Land Use classification of Residential Attached is described as follows:

Characteristics and Use:

To provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

Criteria for Designation:

Compliance Noted

- | | |
|---|------------|
| • Land adjacent to/or within regional centers | YES |
| • Land within walking distance to commercial, office, low impact industry, regional institutions or parks | YES |
| • Located on a high volume roadway Planned as part of a mixed-use development | YES |

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as Not Classified.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Old Highway 71 as a Local Road and US Highway 71 as a Boulevard. Tennessee Ridge Road dissects this property and is listed as a future Minor Arterial.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Tuesday, August 28, 2018 at 1821 Phoenix Avenue at 6:00 p.m.

Five surrounding property owners attended the meeting. A summary of the neighborhood meeting is enclosed. A sign in sheet was not submitted.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the request.

Application Type

☒ Minor Amendment
 ☐ Standard Amendment
 ☐ Major Amendment
 (See Section 27-328-5 C. (Criteria))

Request to Amend Map ☐
 Request to Amend Text ☐

Applicant Name: BRETT ABBOTT	
Firm Name: BLUE ROCK DESIGN BUILD	
Address: P.O. BOX 1112 - FORT SMITH, AR 72902	
Phone # (day): 479.453.2838	Phone # (cell): SAME Fax #: -
Owner Name: BROOKS NORRIS	
Owner Address: 1821 PHOENIX AVE	
Phone # (day): 479.434.5529	Phone # (cell): 479.883.1254 Fax #:
Property Address (subject property): PARCEL: 18883-0000-02876-00	
Subject Property	
Current Land Use:	
Existing MLUP Classification:	
Proposed MLUP Classification:	
Existing Zoning Classification: NZ - NOT ZONED	
Proposed Zoning Classification: RM-3 & C-3	
Surrounding Property	
Current Land Use: north-	
south-	
east-	
west-	
Existing MLUP Classification: north:	
south:	
east:	
west:	
Existing Zoning Classification: north:	
south:	
east:	
west:	
Pre-Application Meeting Date: JUNE 27, 2:00 P.M.	

For a Minor, Standard or Major Master Land Use Plan Amendment, please attach the following information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

1. A legal description of the subject property that is to be amended (reclassified).
2. A map of the property which includes the scaled distance, legal description, and general vicinity map inset showing the property's location.
3. The area dimensions of the property in square feet or acres.
4. Describe existing road conditions and new roads to be included in the development and the effect of the proposed development on existing roads and traffic conditions:

ADJACENT TO OLD HWY. 71 & TENNESSEE RIDGE ROAD.
 NEW TENN. RIDGE ROAD EXTENSION PROPOSED THROUGH
 DEVELOPMENT

5. Describe the existing public utility services and infrastructure (such as water, sewer, fire/police) which are available to the property and the source/method of providing additional utilities and infrastructure to the property if necessary:

ALL UTILITIES ALONG OLD HWY. 71 & HWY. 71

6. Provide a statement of the proposed build-out density and maximum potential build-out density (units per acre) permitted by the proposed land use classification:

C-3 - MAX. BLDG. SIZE - 60,000 SF.
 RM-3 - 20 UNITS / ACRE

7. Identify any known or anticipated environmental concerns:

NONE

For a Standard or Major Master Land Use Plan Amendment only, please attach the following additional information and answer the questions below. You may provide answers on a separate sheet and attach it to this application:

8. An analysis of the impact of the amendment on surrounding properties and plans in terms of:

- a. Describe potential changes to development patterns in terms of local and regional impacts:

ADD MULTI-FAMILY HOUSING & COMMERCIAL SPACE &
DUPLEXES

- b. Describe the consistency in zoning between existing and planned uses:

COMMERCIAL ALONG HWY. 71. ADJACENT RESIDENTIAL

- c. Provide explanation of the need for and demand in the proposed uses:

NO MULTI-FAMILY IN THIS AREA OR DUPLEXES

9. Provide an analysis of the long term development plan for the area (10-20 years) which incorporates a review of the land use, transportation, and infrastructure impact to both the City of Fort Smith and the property owner:

WILL FILL NEED FOR HOUSING IN THIS AREA

For a Comprehensive Plan-Text Amendment only, please attach the following information. Provide answers on a separate sheet and attach it to this application:

1. A typewritten copy of the proposed changes to the text in underline/strikeout (also known as "track changes") format.
2. A description of the reasons supporting the amendment and the special circumstances requiring the change:

AUTHORIZATION OF AGENT


If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize BLETT ABBOTT to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

NAMES OF ALL OWNERS.

SIGNATURE OF ALL OWNERS.

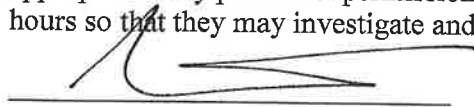
1. BROOKS NORMS 
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

This form is necessary only when the person representing this request does not own all property.

Certification

Once an application has been deemed complete, the applicant shall not modify it unless requested or agreed upon by the Planning Department. Should the applicant request a modification to the application after it has been advertised for public hearing, it shall be at the discretion of the Planning Commission to review or continue the application. A re-advertising fee may be required.

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I grant the appropriate City personnel permission to enter the subject property during reasonable hours so that they may investigate and review this application.



Signature (Agent/Owner)

7.24.18

Date

The City of Fort Smith requires complete applications. If your application does not include all of the information required for submission, it will not be processed.

From: [Rice, Maggie](#)
To: [Bane, Brittney](#); [Miller, Perry](#); [Monaco, Tom](#)
Subject: FW: Chateau Ridge - Development Plan Application, Site Plan, Survey, Legal Descriptions
Date: Wednesday, September 05, 2018 4:50:54 PM

Please include the summary below in the packet, paper file, online file.

Thanks,

Maggie

From: Brett Abbott [mailto:bluerockdesignbuild@gmail.com]
Sent: Friday, August 31, 2018 10:09 AM
To: Rice, Maggie
Cc: Andrews, Brenda; Brooks Norris
Subject: Re: Chateau Ridge - Development Plan Application, Site Plan, Survey, Legal Descriptions

Maggie,
I believe Brooks has the sign-in sheet, but I will summarize the meeting below:

There were 5 neighbors in attendance not including the owner, Brooks Norris, architect, Brett Abbott, city planner, Maggie Rice and Norris Services staff, Brunchel Gilstrap and Nick Coats.

The project was presented by the owner and questions were answered by attendees. The meeting lasted about 1 hour and was held at Norris Services office.

A few aspects of the project were discussed including landscape screening along Old Hwy. 71 and fencing similar to Reata at Chaffee Crossing and the Tennessee Ridge road extension that will help alleviate traffic coming back west into Williamson place. Surface drainage was also discussed and will be contained in retention ponds on site to be designed by engineers. There is also a clubhouse and walking track around the project that will serve the residents but will also be open to the public and the developer is including as much green space as possible to encourage use of this pathway and outdoor space. The developer plans to market this project to families and business professionals with upper end rent levels for the market. Building materials will be high quality including hardie-board and masonry for low maintenance and higher end appearance.

Master Land Use, Rezoning and Development Plan Deferral

12727 Old Highway 71

Legend

Single-Family R

Item 2

Beef O' Brady's

Single Family Residence

Single Family Residences

Industrial Uses

20

Google Earth

10000 ft



Memo

To: City Planning Commission

From: Planning Staff

Date: August 28, 2018

Re: Rezoning #22-9-18 - A request by Brett Abbott, agent for Brooks Norris, for Planning Commission consideration of a zone request from Not Zoned to Commercial Moderate (C-3) and Residential Multifamily Medium Density (RM-3) by classification at 12727 Old Highway 71

PROPOSED ZONING

The approval of this zoning application will allow zoning to be placed on the property. The applicant has submitted a request to defer the development plan but has submitted a concept plan showing a mix of multifamily and commercial.

LOT LOCATION AND SIZE

The subject property is on the east side of Old Highway 71 at the intersection of Tennessee Ridge Road. The tract contains an area of 15.73 acres with approximately 478 feet of street frontage along Old Highway 71 and 112 feet of street frontage along US Highway 71.

REQUESTED ZONING

The proposed zoning on this tract is Commercial Moderate (C-3). Characteristics of this zone are as follows:

Purpose:

To provide for general commercial activities, offices, and services for the community. The C-3 zoning district promotes a broad range of commercial activities, operations, and services that are dispersed throughout the City and designed at a smaller scale than a regional center. The C-3 zoning district is appropriate in the General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-3 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, parking garage, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 12,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Building Size – 60,000 square feet	Maximum Lot Coverage - 60%
Minimum Parcel/Lot Size for Rezoning – 2 acres	
Minimum Lot Width – 75 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 20 feet	
Rear Yard Setback - 20 feet	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Major Collector or higher	

AND

The existing zoning on this tract is Residential Multifamily Medium Density (RM-3).
Characteristics of this zone are as follows:

Purpose:

To provide for medium density attached homes, including multi-unit residential buildings in areas where such development already exists or is planned for the future. The RM-3 zoning district is appropriate in urban areas within the Residential Attached, Mixed Use Residential, Mixed Use Employment, Commercial Neighborhood, and General Commercial Land use categories of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings, multifamily (apartment and condominiums), community residential facility, family and neighborhood group homes and retirement housing are examples of permitted uses.

Conditional Uses:

Assisted living, bed and breakfast inn, dormitory, sorority, fraternity, rooming or boarding house, commercial communication towers, amateur radio transmitting towers, community recreation center, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes, senior citizen center, churches and rectory, convent, monastery are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 6,500 square feet	Maximum Height - 40 feet (1+1)
Maximum Density – 20 Dwelling Units/Acre	Maximum Lot Coverage - 65%
Minimum Lot Width at Building Line – 60 feet	
Minimum Street Frontage – 20 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 7.5 feet	
Rear Yard Setback - 10 feet	
Side/Rear adjacent to RS district/development – 30 feet	
Minimum building separation – 10 feet	

EXISTING ZONING

The property currently is Not Zoned.

SURROUNDING ZONING AND LAND USE

The area to the north is not zoned and is undeveloped.

The area to the east is zoned ETJ I-1 and is developed as industrial uses.

The area to the south is zoned ETJ O-1 and is developed as a single family residence.

The area to the west is zoned Residential Single Family Duplex Medium/High Density (RSD-3) and Residential Single Family Medium/High Density and is developed as single family residences.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies Old Highway 71 as a Local Road and US Highway 71 as a Boulevard. Tennessee Ridge Road dissects this property and is listed as a future Minor Arterial.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as General Commercial. This classification is to provide opportunities for business transactions and activities, and meet the consumer needs of the community.

The Master Land Use Plan also classifies the site as Residential Attached. This classification is to provide for diverse populations and households, by supporting variety and options in living environments, and housing, while protecting and improving property values.

NEIGHBORHOOD MEETING

A neighborhood meeting was held Tuesday, August 28, 2018 at 1821 Phoenix Avenue at 6:00 p.m.

Five surrounding property owners attended the meeting. A summary of the neighborhood meeting is included. A meeting sign in sheet was not submitted.

STAFF COMMENTS

The proposed zoning would allow a two acre tract along Highway 71 South to be zoned Commercial-3 with the remaining 13.73 acres zoned as Residential Multifamily Medium Density (RM-3). Even though the applicant is requesting a deferral of the development plan a concept plan was submitted that shows a multifamily development including apartments and townhouse.

Additionally, the Master Street Plan shows the extension of Tennessee Ridge Road through this development. The details of the street extension will need to be addressed prior to a development plan returning to the Planning Commission. Some of the details of the street extension include:

1. Consideration to reduce the classification of Tennessee Ridge Road on the Master Street Plan.
2. The property included in this rezoning does not include all the necessary property to extend Tennessee Ridge Road to US Highway 71. Additional property for the right of way of Tennessee Ridge Road to make the connection to US Highway 71 is needed.
3. An agreement is required concerning the cost sharing of the street construction in accordance with the City's "New Street Construction Participation Program."

STAFF RECOMMENDATIONS

Planning staff recommends approval of the request contingent upon the following:

1. Planning Commission approval of a development plan for all new development prior to the issuance of any building permits.
2. Resolution of the Tennessee Ridge Road extension through the property prior to submittal of a development plan by the Planning Commission and prior to any building permits.

PETITION FOR CHANGE IN ZONING MAP

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

SEE ATTACHED SURVEY

2. Address of property: PARCEL: 18883. 0000. 02876. 00
3. The above described property is now zoned: N.Z.
4. Application is hereby made to change the zoning classification of the above described property to C-3 & RM-3 by _____.
(Extension or classification)
5. Why is the zoning change requested?

PROPERTY IS CURRENTLY NOT ZONED

6. Submit any proposed development plans that might help explain the reason for the request.

Signed:

BRETT ABBOTT

Owner or Agent Name
(please print)

Owner

P.O. Box 1112 - MS. AR 72902

Owner or Agent Mailing Address

Agent

479. 459. 2930

Owner or Agent Phone Number

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*


TO: Planning Department

SUBJECT: Legal Description of Property *(Insert legal description)*

SEE LEGAL DESCRIPTION & SURVEY

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land except as follows: *

NONE


Signature

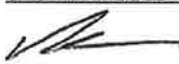
(If no restrictive covenants exist, indicate "none".)*

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize BRETT ABBOTT to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

<u>NAMES OF ALL OWNERS.</u>	<u>SIGNATURE OF ALL OWNERS.</u>
1. <u>BROOKS NORMIS</u>	<u></u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

This form is necessary only when the person representing this request does not own all property.

From: [Rice, Maggie](#)
To: [Bane, Brittney](#); [Miller, Perry](#); [Monaco, Tom](#)
Subject: FW: Chateau Ridge - Development Plan Application, Site Plan, Survey, Legal Descriptions
Date: Wednesday, September 05, 2018 4:50:54 PM

Please include the summary below in the packet, paper file, online file.

Thanks,

Maggie

From: Brett Abbott [mailto:bluerockdesignbuild@gmail.com]
Sent: Friday, August 31, 2018 10:09 AM
To: Rice, Maggie
Cc: Andrews, Brenda; Brooks Norris
Subject: Re: Chateau Ridge - Development Plan Application, Site Plan, Survey, Legal Descriptions

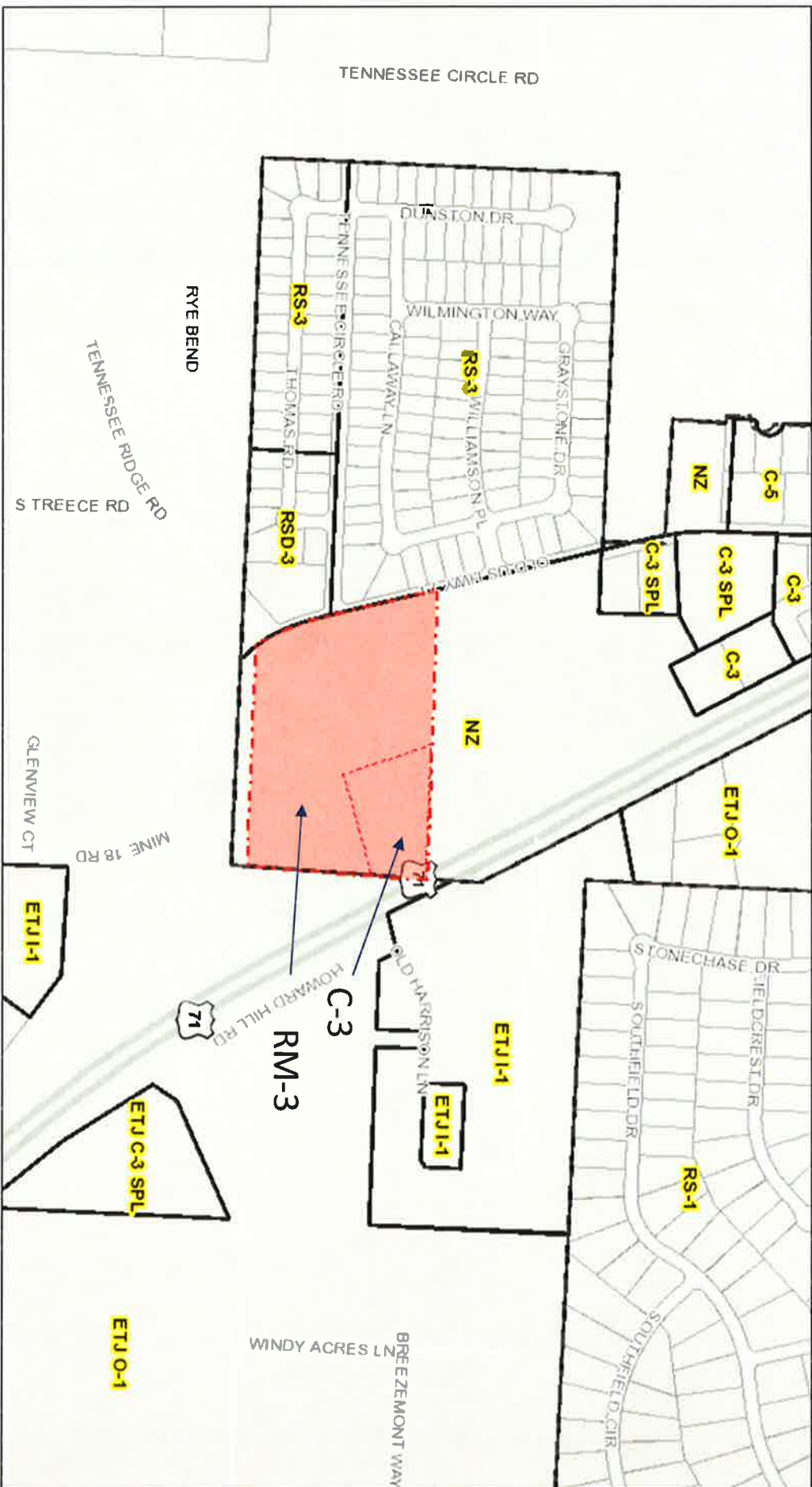
Maggie,
I believe Brooks has the sign-in sheet, but I will summarize the meeting below:

There were 5 neighbors in attendance not including the owner, Brooks Norris, architect, Brett Abbott, city planner, Maggie Rice and Norris Services staff, Brunchel Gilstrap and Nick Coats.

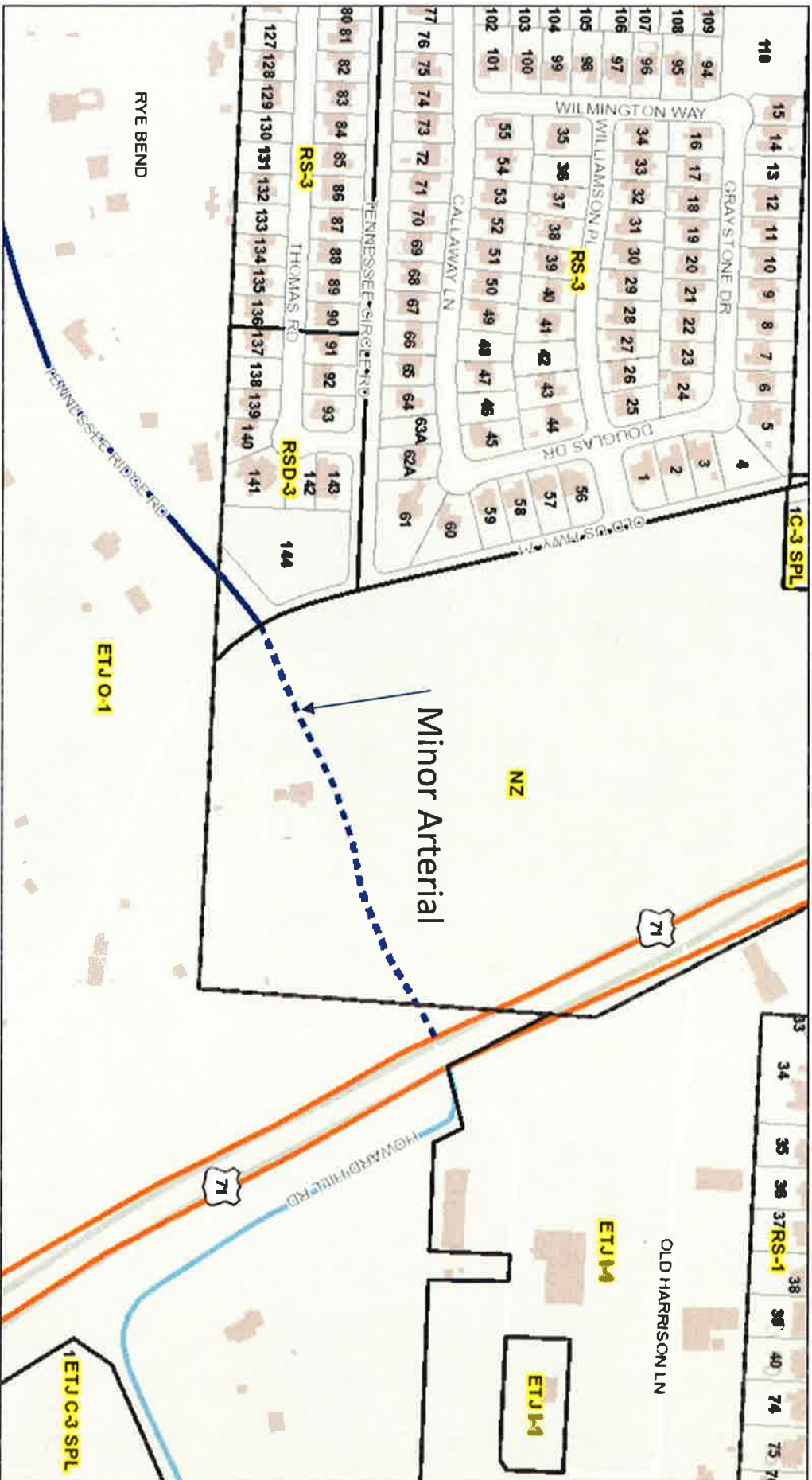
The project was presented by the owner and questions were answered by attendees. The meeting lasted about 1 hour and was held at Norris Services office.

A few aspects of the project were discussed including landscape screening along Old Hwy. 71 and fencing similar to Reata at Chaffee Crossing and the Tennessee Ridge road extension that will help alleviate traffic coming back west into Williamson place. Surface drainage was also discussed and will be contained in retention ponds on site to be designed by engineers. There is also a clubhouse and walking track around the project that will serve the residents but will also be open to the public and the developer is including as much green space as possible to encourage use of this pathway and outdoor space. The developer plans to market this project to families and business professionals with upper end rent levels for the market. Building materials will be high quality including hardie-board and masonry for low maintenance and higher end appearance.

Rezoning #22-9-18: From Not Zoned to Commercial Moderate (C-3) & Residential Multifamily Medium Density (RM-3) & Development Plan Deferral at 12727 Old Highway 71



Master Street Plan 12727 Old Highway 71



Master Land Use, Rezoning and Development Plan Deferral

12727 Old Highway 71



Google Earth

Legend

Item 3

31



CERTIFICATE OF AUTHENTICATION

I hereby certify that these plans & specifications have been prepared by me, or under my supervision, I am duly licensed in the State of Arkansas, and I am a duly licensed Professional Engineer in the State of Arkansas.

Signature: _____ Date: _____

PROJECT DATA

ADDRESS:	87000 SF = 2 ACRES
PARCEL #:	C-3 COMMERCIAL
LOT #:	
ZONING:	RM-2 MULTI-FAMILY (1-2 STORY) RM-3 MULTI-FAMILY (3-4 STORY) C-3 (COMMERCIAL)
BUILDINGS:	9 BUILDINGS (MULTI-FAMILY / APTS.) 7 BUILDINGS (MULTI-FAMILY) 1 BUILDING (CLUB HOUSE) 1 BUILDING (CLUB HOUSE) 1 BUILDING (CLUB HOUSE)
SITE:	894,387 S.F. = 15.73 ACRES
SETBACK:	FRONT - 30' SIDE - 20' REAR YARD - 20'
PARKING:	2 SPACES PER (2) BEDROOM UNIT 2 SPACES PER (1) BATH UNIT PROVIDED = 228

PROPOSED PROJECT FOR:

CHATEAU RIDGE

HWY. 71 S. & TENNESSEE RIDGE RD. - FORT SMITH, AR



A1.0

DATE: 8.15.18
PROJECT: 18.50

DESIGNED BY:

304

TITLE SHEET
PROJECT DATA
304



Memo

To: City Planning Commission

From: Planning Staff

Date: August 28, 2018

Subject: Request for Development Plan Deferral – 12727 Old Highway 71

The Planning Department has received a request from Brett Abbott, agent for Brooks Norris, for Planning Commission consideration of a deferral of a Development Plan at 12727 Old Highway 71. The applicant has requested a zoning request from Not Zoned to Commercial Moderate (C-3) and Residential Multifamily Medium Density (RM-3) by classification for a future development. At this time, the development plan has not been finalized.

The rezoning application is for a conventional zoning district of Commercial Moderate (C-3) and Residential Multifamily Medium Density (RM-3). Section 27-330-5 of the UDO requires a preliminary development plan with a conventional rezoning request. However, Section 27-330-1(B) states that the planning commission may waive or defer the requirement for a development plan upon the applicant making a request and a public hearing.

The planning commission's options are:

- 1) defer the requirement for a development plan on the rezoning application;
- 2) determine it would be better to have a development plan to help determine the disposition of the rezoning request.

Approval of the deferral will require the submittal of a Development Plan to the Planning Commission for approval prior to the issuance of building permits for development on the property.

From: [Rice, Maggie](#)
To: [Bane, Brittney](#); [Miller, Perry](#); [Monaco, Tom](#)
Subject: FW: Chateau Ridge - Development Plan Application, Site Plan, Survey, Legal Descriptions
Date: Wednesday, September 05, 2018 4:50:54 PM

Please include the summary below in the packet, paper file, online file.

Thanks,

Maggie

From: Brett Abbott [mailto:bluerockdesignbuild@gmail.com]
Sent: Friday, August 31, 2018 10:09 AM
To: Rice, Maggie
Cc: Andrews, Brenda; Brooks Norris
Subject: Re: Chateau Ridge - Development Plan Application, Site Plan, Survey, Legal Descriptions

Maggie,
I believe Brooks has the sign-in sheet, but I will summarize the meeting below:

There were 5 neighbors in attendance not including the owner, Brooks Norris, architect, Brett Abbott, city planner, Maggie Rice and Norris Services staff, Brunchel Gilstrap and Nick Coats.

The project was presented by the owner and questions were answered by attendees. The meeting lasted about 1 hour and was held at Norris Services office.

A few aspects of the project were discussed including landscape screening along Old Hwy. 71 and fencing similar to Reata at Chaffee Crossing and the Tennessee Ridge road extension that will help alleviate traffic coming back west into Williamson place. Surface drainage was also discussed and will be contained in retention ponds on site to be designed by engineers. There is also a clubhouse and walking track around the project that will serve the residents but will also be open to the public and the developer is including as much green space as possible to encourage use of this pathway and outdoor space. The developer plans to market this project to families and business professionals with upper end rent levels for the market. Building materials will be high quality including hardie-board and masonry for low maintenance and higher end appearance.

Memo

To: City Planning Commission

From: Planning Staff

Date: September 5, 2018

Re: Development Plan #11-9-18 - A request by Brett Abbott, agent for Keith Lau, for Planning Commission consideration of a Development Plan request for a duplex development located at 1001, 1011, and 1021 North 49th Street

PROPOSED DEVELOPMENT PLAN

Approval of the development plan will facilitate the development of six duplexes (12 dwelling units) on six individual lots at 1001, 1011, and 1021 North 49th Street. The development has four (4) driveways located on North 48th Street. No driveways are located on North 49th Street.

LOT LOCATION AND SIZE

The subject properties are located on west side North 49th Street and the east side of North 48th Street between Grand Avenue and North J Street. The property contains an area of 1.33 acres with approximately 306 feet of street frontage along North 49th Street and North 48th Street and 190 feet of street frontage along Grand Avenue.

EXISTING ZONING

The existing zoning on this tract is Residential Single Family – Duplex Low/Medium Density (RSD-2). Characteristics of this zone are as follows:

Purpose:

To provide for attached and detached homes in low-to-medium density neighborhoods where adequate public services and facilities are available. The RSD-2 zoning district is appropriate in suburban areas and primarily applies to the Residential Attached, Mixed Use Residential, and Mixed Use Employment category of the Master Land Use Plan.

Permitted Uses:

Single-family, duplex dwellings and family group homes are examples of permitted uses.

Conditional Uses:

Commercial communication towers, amateur radio transmitting towers, golf course, utility substation, country club, parks, college, primary and secondary schools, preschool, nursery schools, police and fire stations, daycare homes and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 10,500 square feet
Maximum Density – 4 Dwelling Units/Acre
Minimum Lot Width at Building Line – 75 feet
Minimum Street Frontage – 50 feet
Front Yard Setback - 30 feet
Side Yard on Street Side of Corner Lot - 30 feet
Side Yard Setback – 7.5 feet
Rear Yard Setback - 10 feet
Minimum building separation – 10 feet

Maximum Height - 35 feet (1+1)
Maximum Lot Coverage - 50%

SURROUNDING ZONING AND LAND USE

The areas to the north are zoned Residential Single Family – Duplex Low/Medium Density (RSD-2) and developed as single family residences.

The area to the west is zoned Residential Multifamily Medium Density (RM-3) and Commercial Light (C-2) and developed as duplex, single family residences, and a vacant commercial building.

The area to the south is zoned Commercial Heavy Special (C-5-SPL) and is developed as a Restaurant (with drive-in services)

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies North 48th Street and North 49th Street as local roads, and Grand Avenue as a Major Arterial street classification.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – All ingress and egress will occur only on North 48th Street with four (4) shared driveways for the proposed six (6) lots.

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City's Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Setbacks/Lot Sizes - On May 8, 2018, the Board of Zoning Adjustment approved a variance application allowing the front-yard setback from 30' to 25' on all of the lots and an exterior side-yard setback from 30' to 25' on the two corner lots facing Grand Avenue. At the same meeting, the BZA also approved a variance from 10,500 s.f. minimum lot size/4 dwellings per acre to

9,600 s.f./4.6 dwellings per acre. The proposed development plan complies with the variances approved for the setbacks and lot sizes.

Drainage – The Engineering Department has determined that a detention pond is not required. A drainage plan will be submitted by the applicant's engineer.

Right-of-way dedication – No new right of way dedication is required.

Landscaping – A landscape berm planted with trees and shrubbery is proposed adjacent to North 49th Street.

Screening – The plans show HVAC screening and covered parking.

Parking – The proposed parking shows four covered parking spaces per dwelling unit.

Signage – No signage is proposed.

Lighting – No pole lighting is proposed.

Architectural features – The proposed two-story duplexes have hardy board siding and stained or painted concrete blocks with a flat roof design and vehicle parking on the first floor.

Height and Area – The duplexes are two-story and approximately 25 feet in total height.

NEIGHBORHOOD MEETING

A neighborhood meeting was held on Wednesday August 29, 2018, 6:00 p.m. at the Fort Smith Public Library, Main Branch at 3201 Rogers Avenue. The meeting was attended by thirteen property owners. The development was presented by Keith Lau and Brett Abbott. In addition to the proposed six-lot subdivision, a second option with four lots was also presented. Mr. Lau stated that the four-lot subdivision would not require any special city approvals other than staff approval of a minor plat to subdivide the property into four lots. Considerable discussion focused on pedestrian traffic and concerns that students would create traffic hazards for motorists. After further discussion regarding ways to contain the pedestrian traffic, the attendees agreed to Mr. Lau's suggestion of a landscape berm on North 49th Street. Mr. Lau also stated that the special conditions that he had previously agreed to were still applicable to the revised development plan. The attendance record and meeting summary are enclosed.

STAFF COMMENTS

The City Engineering Department initiated a 24-hour traffic count on North 48th Street and North 49th Street south of North J Street and North J Street west of North 50th Street in late August. A memo from Stan Snodgrass, Director of Engineering, and copies of the reports are attached.

Staff was contacted by one resident of the neighborhood, Crystal Clouse of 1001 North 49th Street, who wanted to know the status of the project. Staff provided Ms. Clouse with an update of the project.

STAFF RECOMMENDATIONS

If the Planning Commission is inclined to approve the development plan, staff recommends the following comments:

1. Construction must comply with the submitted development plan and the ten special conditions offered by the developer. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.
2. Compliance with the following special conditions offered by the Developer:
 - a. The guest parking shall be eliminated to allow for more greenspace/landscaping. In exchange for taking out the guest parking, "No Parking" signs shall be placed along the street in front of the development.
 - b. A landscape buffer shall be installed along the front of the property
 - c. Trash and recycle cans shall be screened under the stairs in the parking area
 - d. No traffic will be able to pass through between 48th and 49th streets to control traffic on each side of the development, eliminating the drive connections from east/west
 - e. No multi-tenant leasing allowed - each unit will be under 1 lease
 - f. Signage will be installed on the property stating "Tenant Parking Only" to deter guest parking on the property
 - g. Occupancy of each unit shall be limited to one person per room or no more than 4 per each side of the duplex within the limits of the law.
 - h. Drainage of the property shall be designed by an engineer.
 - i. One unit will be reserved to an on-site manager at a reduced-rent rate in exchange for management services
 - j. The developer shall collaborate with the city traffic engineer and a contracted engineering service for a traffic study to look at potential impact on the neighborhood. (The developer has complied with this condition. A copy of the report is enclosed.)

DEVELOPMENT PLAN REVIEW APPLICATION

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)
2. Address of property: 1001, 1011, 1021 (lots 4,5,6) N. 49th St.
3. The above described property is now zoned: RSP-2
4. Does the development plan include a companion rezoning request?
Yes _____ No ✓
5. If yes, please specify the companion application submitted:
 - ☐ Conventional Rezoning
 - ☐ Planned Rezoning
 - ☐ Conditional Use
 - ☐ Master Land Use Plan Amendment
 - ☐ Variance
6. If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:
N/A by N/A
(Zoning Classification) (Extension or classification)
7. Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:
RSP-2, C-2, RM-3, UAFS CAMPUS

8. Total acreage of property 1.33 ACRES

Signed:

BRETT ALBORN

Owner or Agent Name
(please print)

P.O. Box 1112

Owner or Agent Mailing Address
FORT SMITH, AR 72902

479.459.2838

Owner or Agent Phone Number

KEITH LAM

Owner


Agent

NOTICE OF PUBLIC HEARING (if applicable)

(Required only if submitted with rezoning, land use amendment, or conditional use application)

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Fort Smith District of Sebastian County, Arkansas, to wit:

Address of property 1001, 1011, 1021 N. 4th St. has filed with the Director of Planning a
(Street Address)
written application pursuant to Section 27-331 of the Unified Development Ordinance of the City of Fort Smith, Arkansas, to request a development plan review.

The undersigned will present said application to the City Planning Commission at its first regular meeting following the expiration of fifteen(15) days from the date of this publication, at which meeting the Planning Commission will conduct a public hearing on said application. All interested persons are invited to attend and are entitled to be heard.

This notice published this _____ day of _____, 20____.
(City will insert Date)

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*


TO: Planning Department

SUBJECT: Legal Description of Property *(Insert legal description)*

** SEE SITE PLAN*

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land except as follows: *

ACKNOWLEDGED / NONE


Signature

(If no restrictive covenants exist, indicate "none".)*

Andrews, Brenda

From: Brett Abbott [bluerockdesignbuild@gmail.com]
Sent: Friday, August 31, 2018 8:55 AM
To: Andrews, Brenda; keith lau
Subject: 49th street duplexes - berm examples

Brenda,
See below for examples of what the berm could look like along 49th street as mentioned in the meeting.
Thank you.





Brett Abbott
Blue Rock Design Build
Licensed Architect and Builder

P.O. Box 1112
Fort Smith, AR 72902
479-459-2838

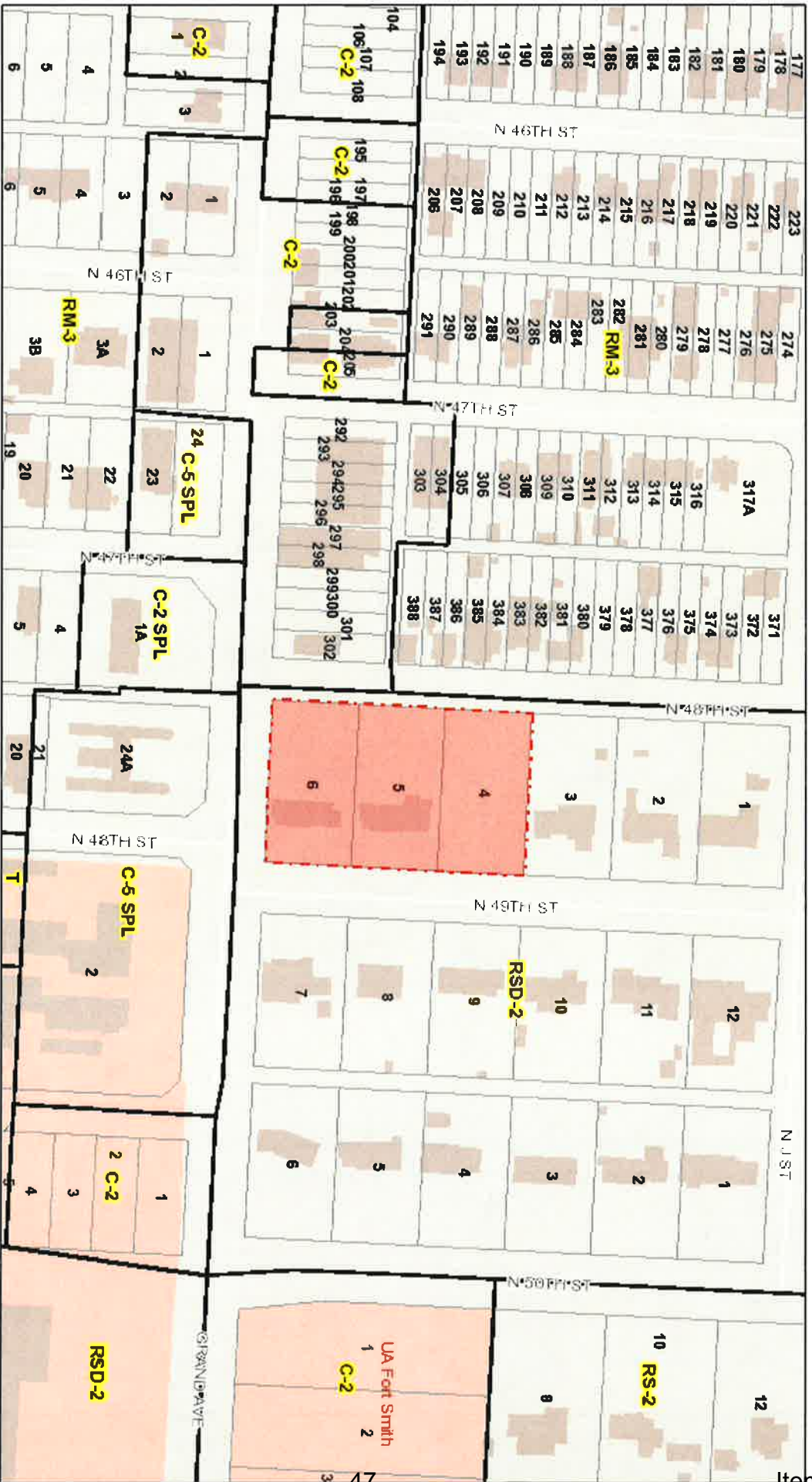
<https://www.facebook.com/bluerockdesignbuild/>



1001, 1011, 1021 North 49th Street Duplex Development
Special Conditions

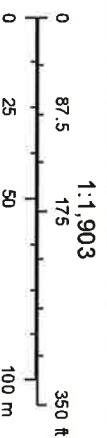
- 1.) The guest parking shall be eliminated to allow for more greenspace/landscaping. In exchange for taking out the guest parking, "No Parking" signs shall be placed along the street in front of the development.
- 2.) A landscape buffer shall be installed along the front of the property
- 3.) Trash and recycle cans shall be screened under the stairs in the parking area
- 4.) No traffic will be able to pass through between 48th and 49th streets to control traffic on each side of the development, eliminating the drive connections from east/west
- 5.) No multi-tenant leasing allowed - each unit will be under 1 lease
- 6.) Signage will be installed on the property stating "Tenant Parking Only" to deter guest parking on the property
- 7.) Occupancy of each unit shall be limited to one person per room or no more than 4 per each side of the duplex within the limits of the law.
- 8.) Drainage of the property shall be designed by an engineer.
- 9.) 1 unit will be reserved to an on-site manager at a reduced-rent rate in exchange for management services
- 10.) The developer shall collaborate with the city traffic engineer and a contracted engineering service for a traffic study to look at potential impact on the neighborhood.

Development Plan #11-9-18: Duplex Development 1001, 1011 & 1021 North 49th Street



August 20, 2018

- Fort Smith City Limits
- Water Bodies
- Zoning
- Public Schools
- Subdivisions
- Parks



Development Plan

1001, 1011 & 1021 North 49th Street

Single Family Residences

Single Family Residences

Single Family Residences

Legend

Bucket Billiards

Pawn Shop

Car Wash

Retail

Subway

Sonic

Campus Apartments

Google Earth

Image Landsat / Copernicus

500 ft



Traffic Counts

INTER-OFFICE MEMO

TO: Wally Bailey, Director of Development and Construction

FROM: Stan Snodgrass, P.E., Director of Engineering

DATE: September 6, 2018

SUBJECT: The Crossings Duplexes Proposed Development
Traffic Counts on Residential Streets

Twenty four hour traffic counts were taken by the City Street Department during the week of August 19 at the following locations:

48th Street, south of J Street (Wednesday, August 22 to Thursday, August 23)
Average Daily Traffic (ADT) = 178

49th Street, south of J Street (Wednesday, August 22 to Thursday, August 23)
Average Daily Traffic (ADT) = 288

J Street, west of 50th Street (Tuesday, August 21 to Wednesday August 22)
Average Daily Traffic (ADT) = 156

The ADT is the total traffic volume (number of vehicles) traveling in both directions over the day. The traffic volume reports for each location are attached.

The duplex development should have minimal impact to the traffic flow on these three residential streets.

Attachments

Basic Volume Report: N. 49th South of J St.

Station ID : N. 49th South of J St.

Last Connected Device Type : Omega

Info Line 1 :

Version Number : 1.36

Info Line 2 :

Serial Number : 25497

GPS Lat/Lon :

Number of Lanes : 1

DB File : N 49th South of J St.DB

Posted Speed Limit : 0.0 mph

Lane #1 Configuration

#	Dir.	Information	Volume Mode	Volume Sensors	Divide By 2	Comment
1	South		Normal	Axle	Yes	

Lane #1 Basic Volume Data From: 14:00 - 08/22/2018 To: 14:59 - 08/23/2018

Date	Time	:00	:15	:30	:45	Total
08/22/18	14:00	6	5	5	2	18
Wed	15:00	7	12	10	3	32
	16:00	5	4	5	3	17
	17:00	6	6	5	2	19
	18:00	5	5	8	3	21
	19:00	4	3	2	6	15
	20:00	6	6	2	0	14
	21:00	4	3	2	0	9
	22:00	2	1	0	1	4
	23:00	2	2	0	0	4
Day Total :						153

AM Total :	153 (100.0%)	Peak AM Hour :	Peak PM Hour : 15:00 =	32 (20.9%)	Peak AM Factor :	Peak PM Factor : 0.667	Average Period :	3.8
PM Total :							Average Hour :	15.3

Date	Time	:00	:15	:30	:45	Total
08/23/18	00:00	0	0	1	0	1
Thu	01:00	0	0	1	0	1
	02:00	0	0	0	0	0
	03:00	0	0	1	0	1
	04:00	0	0	0	2	2
	05:00	0	0	2	3	5
	06:00	1	3	3	3	10
	07:00	4	6	8	5	23
	08:00	0	1	1	0	2
	09:00	3	2	4	5	14
	10:00	2	5	0	1	8
	11:00	6	2	4	6	18
	12:00	8	4	2	3	17
	13:00	6	7	7	6	26
	14:00	8	4	2	5	19
Day Total :						147

AM Total :	85 (57.8%)	Peak AM Hour : 07:00 =	23 (15.6%)	Peak AM Factor : 0.719	Average Period :	2.5
PM Total :	62 (42.2%)	Peak PM Hour : 13:15 =	28 (19.0%)	Peak PM Factor : 0.875	Average Hour :	9.8

Basic Volume Summary: N. 49th South of J St.

Grand Total For Data From: 14:00 - 08/22/2018 To: 14:59 - 08/23/2018

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1.	300 (100.0%)	1.04	288	3.0	12.0	85 (28.3%)	215 (71.7%)
ALL	300	1.04	288	3.0	12.0	85 (28.3%)	215 (71.7%)
Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor	
#1.	07:00 = 23	08/23/2018	0.719	15:00 = 32	08/22/2018	0.667	

Basic Volume Report: N. 48th South of J St.

Station ID : N. 48th South of J St.

Last Connected Device Type : Omega

Info Line 1 :

Version Number : 1.36

Info Line 2 :

Serial Number : 25496

GPS Lat/Lon :

Number of Lanes : 1

DB File : N 48th South of J St.DB

Posted Speed Limit : 0.0 mph

Lane #1 Configuration

#	Dir.	Information	Volume Mode	Volume Sensors	Divide By 2	Comment
1	South		Normal	Axle	Yes	

Lane #1 Basic Volume Data From: 14:00 - 08/22/2018 To: 14:59 - 08/23/2018

Date	Time	:00	:15	:30	:45	Total
08/22/18	14:00	1	1	2	1	5
	15:00	2	5	3	5	15
Wed	16:00	4	3	3	6	16
	17:00	3	1	1	5	10
	18:00	4	3	4	3	14
	19:00	4	3	1	7	15
	20:00	1	3	0	1	5
	21:00	2	2	2	3	9
	22:00	0	1	2	0	3
	23:00	0	1	1	1	3
Day Total						95

AM Total :	95 (100.0%)	Peak AM Hour :	15:15 =	17 (17.9%)	Peak AM Factor :	0.607	Average Period :	2.4
PM Total :		Peak PM Hour :			Peak PM Factor :		Average Hour :	9.5

Date	Time	:00	:15	:30	:45	Total
08/23/18	00:00	0	1	1	0	2
Thu	01:00	0	0	0	0	0
	02:00	0	0	0	0	0
	03:00	0	0	0	0	0
	04:00	0	1	0	1	2
	05:00	0	0	0	1	1
	06:00	1	1	2	4	8
	07:00	1	3	2	4	10
	08:00	1	4	0	0	5
	09:00	0	3	1	1	5
	10:00	2	0	4	4	10
	11:00	3	5	0	2	10
	12:00	8	2	3	5	18
	13:00	1	0	3	4	8
	14:00	2	1	3	5	11
Day Total :						90

AM Total :	53 (58.9%)	Peak AM Hour : 10:30 =	16 (17.8%)	Peak AM Factor : 0.800	Average Period :	1.5
PM Total :	37 (41.1%)	Peak PM Hour : 12:00 =	18 (20.0%)	Peak PM Factor : 0.562	Average Hour :	6.0

Basic Volume Summary: N. 48th South of J St.

Grand Total For Data From: 14:00 - 08/22/2018 To: 14:59 - 08/23/2018

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1	185 (100.0%)	1.04	178	1.9	7.4	53 (28.6%)	132 (71.4%)
ALL	185	1.04	178	1.9	7.4	53 (28.6%)	132 (71.4%)
Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor	
#1	10:30 = 16	08/23/2018	0.800	12:00 = 18	08/23/2018	0.562	

Basic Volume Report: N. J st. West of 50th.

Station ID : N. J st. West of 50th.

Info Line 1 :

Info Line 2 :

GPS Lat/Lon :

DB File : N J st West of Grand.DB

Last Connected Device Type : Omega

Version Number : 1.36

Serial Number : 25496

Number of Lanes : 1

Posted Speed Limit : 0.0 mph

Lane #1 Configuration

#	Dir.	Information	Volume Mode	Volume Sensors	Divide By	Comment
1	West		Normal	Axle	Yes	

Lane #1 Basic Volume Data From: 10:00 - 08/21/2018 To: 10:59 - 08/22/2018

Date	Time	:00	:15	:30	:45	Total
08/21/18	10:00	1	1	2	2	6
	11:00	0	2	0	1	3
Tue	12:00	2	4	2	3	11
	13:00	3	3	0	5	11
	14:00	3	2	5	3	13
	15:00	4	2	5	2	13
	16:00	2	3	0	5	10
	17:00	1	2	5	2	10
	18:00	0	15	8	5	28
	19:00	1	1	2	0	4
	20:00	1	0	2	1	4
	21:00	1	0	0	3	4
	22:00	1	0	1	0	2
	23:00	1	0	1	1	3
Day Total:						122

AM Total :	9 (7.4%)	Peak AM Hour : 10:00 =	6 (4.9%)	Peak AM Factor : 0.750	Average Period :	2.2
PM Total :	113 (92.6%)	Peak PM Hour : 18:15 =	29 (23.8%)	Peak PM Factor : 0.483	Average Hour :	8.7

Date	Time	:00	:15	:30	:45	Total
08/22/18	00:00	1	0	0	0	1
Wed	01:00	2	1	0	0	3
	02:00	0	1	0	0	1
	03:00	0	0	0	0	0
	04:00	0	0	1	0	1
	05:00	0	0	1	0	1
	06:00	3	1	2	0	6
	07:00	1	1	2	3	7
	08:00	3	4	4	0	11
Day Total	09:00	2	0	4	2	8
	10:00	0	0	0	2	2
						41

AM Total :	41 (100.0%)	Peak AM Hour : 07:45 =	14 (34.1%)	Peak AM Factor : 0.875	Average Period : 0.9
PM Total :		Peak PM Hour :		Peak PM Factor :	Average Hour : 3.7

Basic Volume Summary: N. J st. West of 50th.

Item 4

Grand Total For Data From: 10:00 - 08/21/2018 To: 10:59 - 08/22/2018

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1	163 (100.0%)	1.04	156	1.6	6.5	50 (30.7%)	113 (69.3%)
ALL	163	1.04	156	1.6	6.5	50 (30.7%)	113 (69.3%)
Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor	
#1	07:45 = 14	08/22/2018	0.875	18:15 = 29	08/21/2018	0.483	

Traffic Statement

Bailey, Wally

From: Snodgrass, Stan
Sent: Monday, July 09, 2018 2:12 PM
To: Bailey, Wally; Andrews, Brenda
Subject: The Crossing Duplexes - Traffic Statement

Wally and Brenda,

We have reviewed the traffic statement and agree that the duplex development should have minimal impact on the traffic.

Stan



July 9, 2018

Mr. Stan Snodgrass, P.E.
Director of Engineering
Fort Smith Engineering Department
P.O. Box 1908
Fort Smith, Arkansas 72902-1908

Re: The Crossing Duplexes
Traffic Statement
Fort Smith, Arkansas
HWEI Project No. 2018092

Dear Stan:

Per the City's requirements, please find enclosed for your review and approval a copy of the Traffic Statement (TS) revised per the City's comments for the proposed Crossing Duplexes project. The TS was prepared based on the City's Unified Development Ordinance (UDO) requirements.

The expected percentage increase in traffic for A.M. and P.M. peak trips along Grand Avenue is 3.17% and 2.67% respectively. The expected percentage increase in traffic for A.M. and P.M. peak trips along North 50th Street is 3.80% and 1.65% respectively. It is our opinion that the additional traffic generated by the Crossings Duplexes should have a minimal effect on the current traffic conditions for both Grand Avenue and North 50th Streets.

If you have any questions or comments, please feel free to call and we can discuss them.

Sincerely,

HAWKINS-WEIR ENGINEERS, INC.

J. Kyle Salyer, P.E., P.S.

JKS/bap

Enclosure: Traffic Statement (1 copy)

cc: Keith Lau – KCP Real Estate LLC

Project: The Crossing Duplexes
 Project No. 2018092
 Date: July 6, 2018 (Revised July 9, 2018)

Project Summary

KCP Real Estate LLC is planning a new residential development called The Crossing Duplexes within the City of Fort Smith along Grand Avenue between North 48th Street and North 49th Street. The residential development includes 6 duplex units. Each unit has four bedrooms. This report summarizes the traffic impacts for the proposed development.

Trip Projections

The expected number of trips generated by the Crossing Duplexes is determined using the 8th edition of the ITE Publication "Trip Generation". The number of dwelling units is the independent variable used for the calculations. There are 12 dwelling units in the development. Table 1 summarizes the calculations for projected trips for both the A.M. peak and P.M. peak. According to the ITE, the Crossing Duplexes development will generate 8.6 trips, 4.3 entering and 4.3 exiting during the P.M. peak.

Table 1: ITE Trip Generation for Rental Townhouse (ITE Class 224)

Land Use Type	ITE Class	Trip Independent Variable	Average Weekday									
			Per Peak Hour Adjacent Street Traffic		AM Peak Directional Distribution		AM Peak Directional Volume		PM Peak Directional Distribution		PM Peak Directional Volume	
			Between 7-9 AM	Between 4-6 PM	In	Out	In	Out	In	Out	In	Out
			vph	vph								
Rental Townhouse	224	Dwelling Units	0.70	0.72	33%	67%	2.8	5.6	51%	49%	4.3	4.3
		12	8.4	8.6								

The study in the ITE Publication Trip Generation for rental townhouse is based on a small sample size with an independent variable much greater than the proposed development. Because of the small number of dwelling units in the proposed development, the actual trips generated is expected to be higher than the trips using the ITE methodology.

The proposed development is located near the University of Arkansas Fort Smith (UAFS) campus. It is assumed the targeted demographic for the units will be students at UAFS. Each unit has four (4) bedrooms and four (4) parking spaces are allocated for each unit. For the use in this traffic statement, the number of trips generated is assumed to be based on the number of bedrooms for the entire development. The assumed average weekday trip generation calculations used for this traffic statement are shown in Table 2.

Table 2: Trip Generation for The Crossing Duplexes

Trip Independent Variable	Average Weekday									
	Per Peak Hour Adjacent Street Traffic		AM Peak Directional Distribution		AM Peak Directional Volume		PM Peak Directional Distribution		PM Peak Directional Volume	
	Between 7-9 AM	Between 4-6 PM	In	Out	In	Out	In	Out	In	Out
	vph	vph								
Bedrooms	1	1	0%	100%	0	48	67%	33%	32	16
48	48	48								

Trip Distribution

The 48 A.M. peak trips are then distributed to the adjacent streets. It is assumed that 50% of the traffic leaving the development travels north on either 48th or 49th Streets and 50% of the traffic travels directly onto Grand Avenue. The assumed trip distribution for the A.M. peak traffic created by the Crossing Duplexes development is shown in Exhibit 1.

The 48 P.M. peak trips are also distributed to the adjacent streets. Exhibit 2 shows the projected trips for the P.M. peak.

Traffic Analysis

The 2017 Annual Average Daily Traffic (ADT) Estimates from the Arkansas Department of Transportation (ArDOT) are used to determine existing traffic along the adjacent streets. Refer to Exhibit 3 for 2017 ArDOT ADT Estimates for the project area.

There is not a traffic count near the project location on Grand Ave. A mile west of the project location Grand Avenue has an ADT of 15,000 vehicles per day (vpd). North 50th Street has an ADT of 7,900 vpd. The A.M. and P.M. peak traffic counts are estimated using an A.M. peak factor of 8% and a P.M. peak factor of 10%. Table 3 shows the existing peak daily traffic.

Table 3: Existing Peak Daily Traffic

Street	ADT	A.M. Peak Factor	P.M. Peak Factor	A.M. Peak Trips, vph	P.M. Peak Trips, vph
Grand Avenue	15,000	8%	10%	1200	1500
North 50 th Street	7,900	8%	10%	632	790

The projected traffic is then added to the existing traffic to show the anticipated traffic after development of the Crossing Duplexes. The total anticipated traffic is shown in Table 4.

Table 4: Projected Peak Daily Traffic after Development

Street	A.M. Peak Trips, vph	P.M. Peak Trips, vph	Percent Increase A.M. Post Development	Percent Increase P.M. Post Development
Grand Avenue	1238	1540	3.17%	2.67%
North 50 th Street	656	803	3.80%	1.65%

Conclusion

Based on the projected traffic, the development of the Crossing Duplexes should have a minimal impact on the traffic patterns of Grand Avenue and North 50th Street. The percent increase in post development A.M. peak trips is than 3.17% for Grand Avenue. The percent increase in post development P.M. peak trips is than 2.67% for Grand Avenue. The A.M. peak daily traffic along North 50th Street will increase by 3.80%, the P.M. peak daily traffic will increase by 1.65%. The majority of the increased trips along North 50th Street will pass through the signalized intersection at Grand Avenue. Based on the presence of signalization and minimal projected increase, no additional traffic control or improvement measures are recommended.

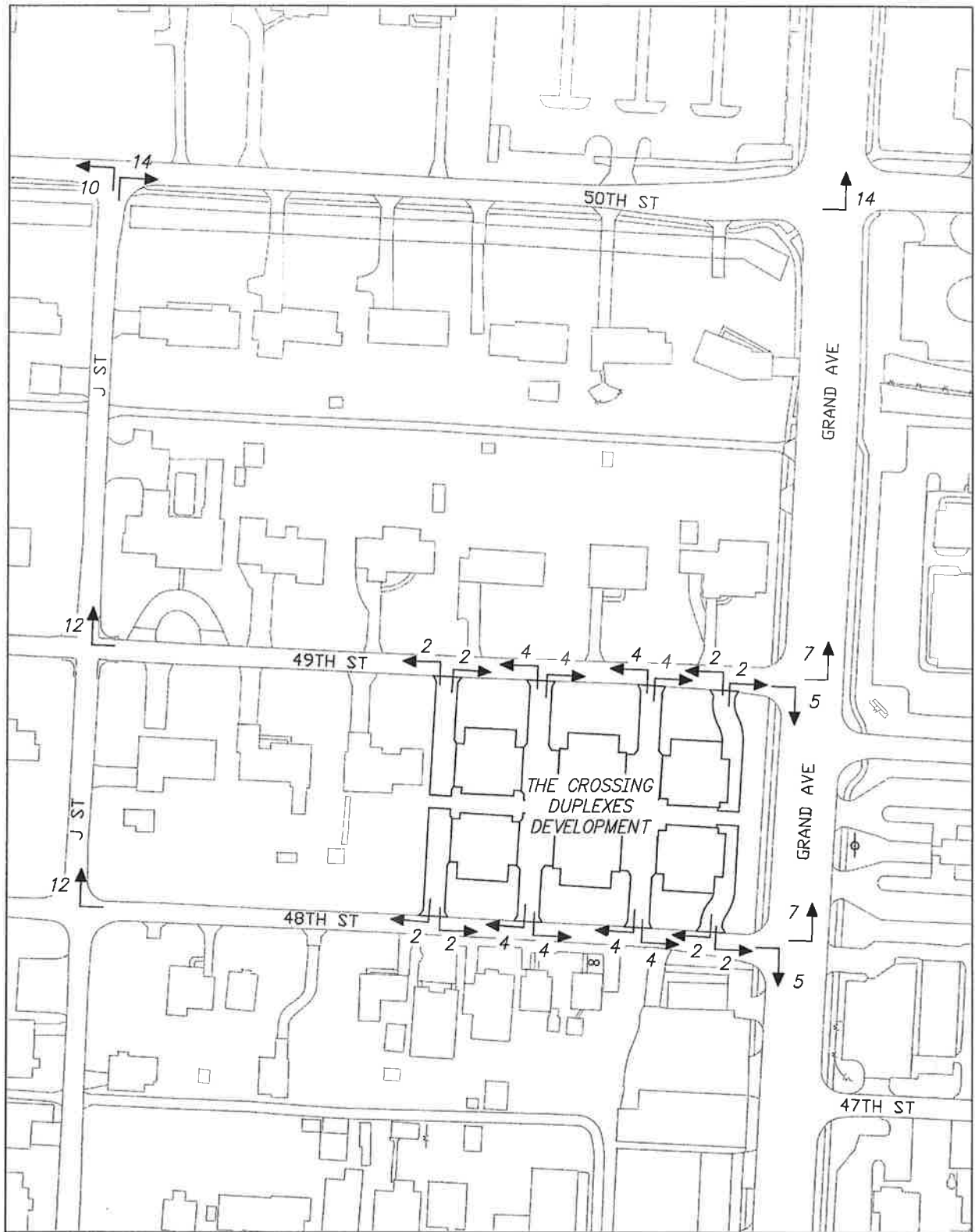
HAWKINS-WEIR ENGINEERS, INC.



J. Kyle Salyer, P.E., P.S.



Z:\18\2018092 DUPEX DEVELOPMENT - TRAFFIC IMPACT STATEMENT, KCP\DRAWINGS\FS MAPPING BASE.DWG, 7/9/2018 11:48 AM, BLAKE PEACOCK, EXHIBIT1



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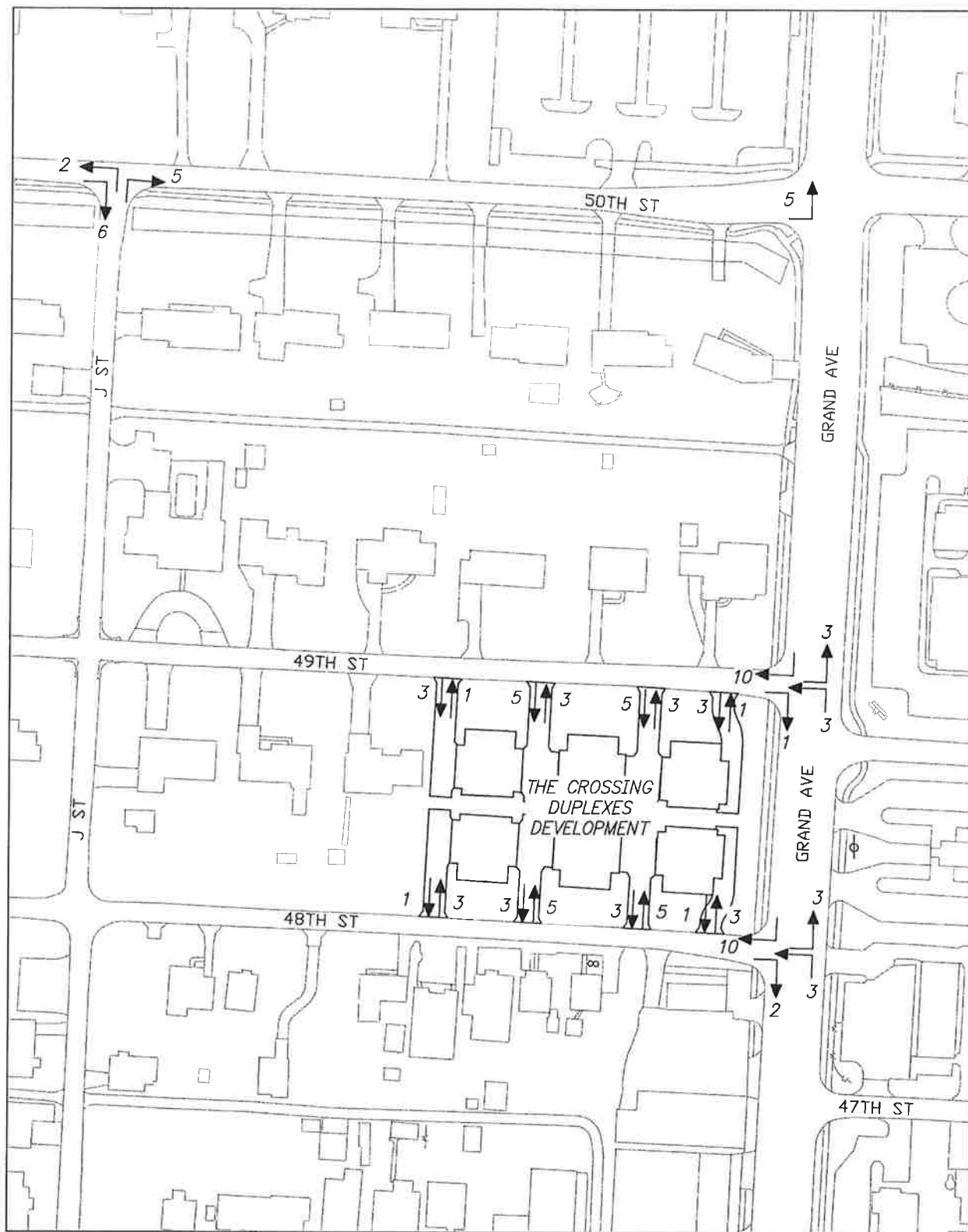
EXHIBIT 1
TRAFFIC STATEMENT
A.M. TURNING MOVEMENTS
FOR: THE CROSSING DUPLEXES

DATE: JULY 2018

SCALE: NTS

JOB NO. 2018092

Z:\18\2018092 DUPLEX DEVELOPMENT - TRAFFIC IMPACT STATEMENT, KCP\DRAWINGS\FS MAPPING BASE.DWG, 7/9/2018 11:48 AM, BLAKE PEACOCK, EXHIBIT2



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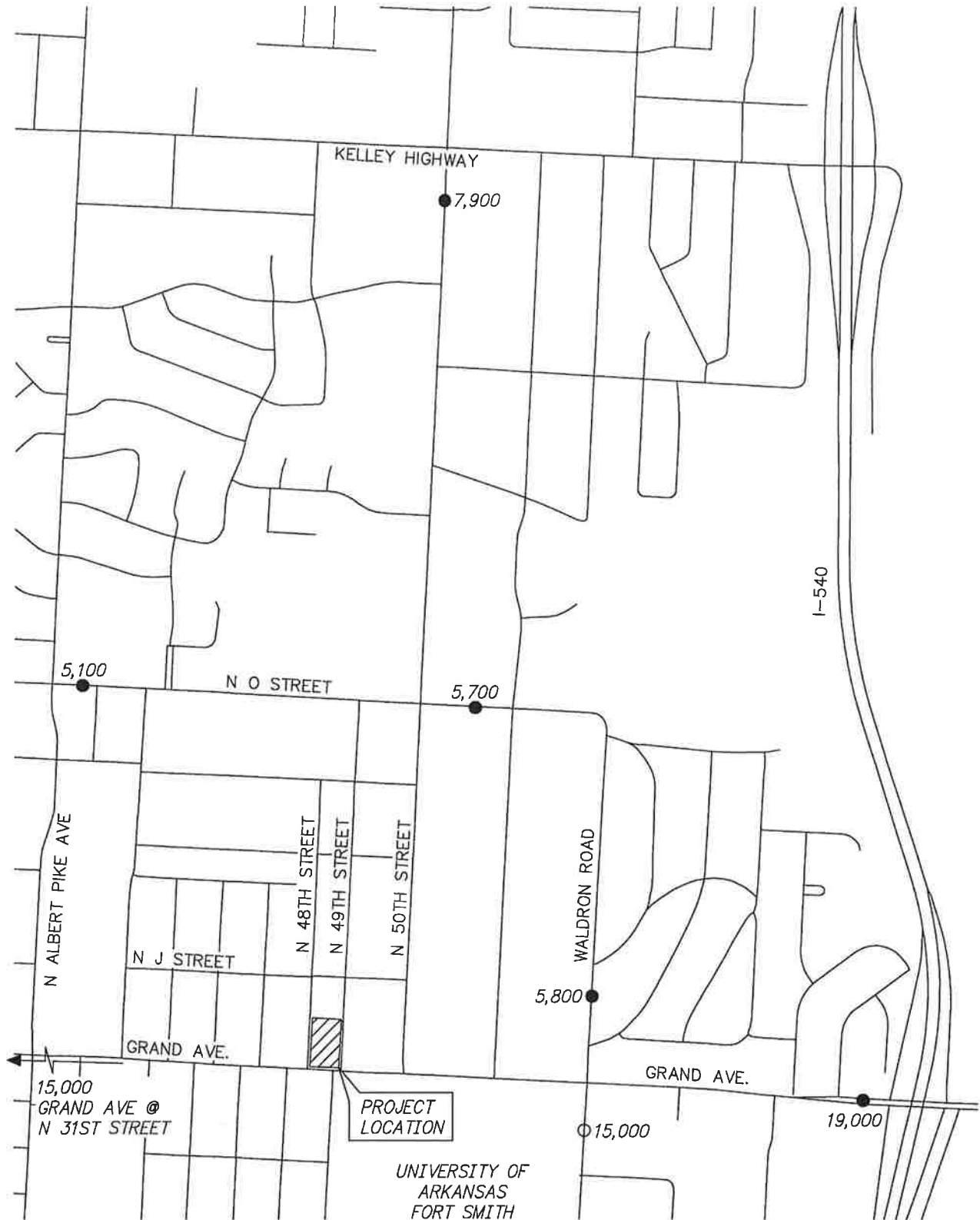
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EXHIBIT 2
TRAFFIC STATEMENT
P.M. TURNING MOVEMENTS
FOR: THE CROSSING DUPLEXES

DATE: JULY 2018

SCALE: NTS

JOB NO. 2018092



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EXHIBIT 3
TRAFFIC STATEMENT
2017 ARDOT TRAFFIC COUNTS
FOR: THE CROSSING DUPLEXES

DATE: JULY 2018

SCALE: NTS

JOB NO. 2018092

Miller, Perry

From: Miller, Perry
Sent: Wednesday, September 05, 2018 12:30 PM
To: Planning Email Group
Subject: 1001 N 49th Street

Crystal Clouse phone 479-431-1501 lives at 1001 N 49th Street. She just wanted to know the status of the development plan project. I informed her that it will be voted on next Tuesday at Creekmore Park. She was not in opposition or support of the project. She just wanted to know the status.

I will add a copy to the file, packet, and electronic file.

Thank you,

Tyler Miller
Planner City of Fort Smith
623 Garrison Avenue
Fort Smith, AR 72901
479-784-2241

ATTENDANCE LIST FOR NEIGHBORHOOD MEETING

List the names, addresses & telephone numbers of all residents/property owners who attended the meeting.

Meeting Location FORT SMITH PUBLIC LIBRARY

Meeting Time & Date 6:00 P.M. - 8.29.18

Meeting Purpose NEIGHBORHOOD MEETING

	<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1.	Helga Stephens	1223 N. 49th	
2.	SANDY DIAMOND	1104 No. 49th	479 651 8350
3.	ROBERTA PARKS	1116 North 49th	479-883-3824
4.	Beth Dwyer	1123 No. 49	479-420-9085
5.	Charles Rock	1123 N. 50th St	479-353-0175
6.	Roger Hall	4620 North N st	479-782-2322
7.	Marilyn & James Clauson	1312 N 49	479-651-3250
8.	DANIEL LEE	1403 N. 49th	
9.	Barbara & William	1201 No 49	479 466 9902
10.	Rayne Ferrari	1305 North 49th ST	479-434-2403
11.	Vitalina Paez	1018 N 49th (479)	719 3382

Andrews, Brenda

From: Brett Abbott [bluerockdesignbuild@gmail.com]
Sent: Friday, August 31, 2018 9:26 AM
To: Andrews, Brenda; keith lau
Subject: Re: North 48th & 49th Street Project
Attachments: 49th st duplexes - neighborhood meeting attendance - 8-29-18.pdf; Duplexes - 6 sites with landscape berm - 8-31-18 - Sheet - A1-1 - OVERALL SITE PLAN.pdf

Brenda,

See attached, revised site plan with landscape berm and meeting attendance list.

A summary of the meeting is below:

There were approximately 11 attendees not including the owner, Keith Lau, architect, Brett Abbott and City Planner Brenda Andrews.

The meeting lasted about 1 hour and the owner presented 2 schemes for consideration. The first scheme included 6 lots with the option to restrict traffic to 48th street only. The second option showed 4 lots and could be built without any further approval at any time. The owner prefers the 6 lot option for obvious financial reasons and the fact that it will be a better product for the student population that it will be marketed toward since it included covered parking and many other amenities that have been previously discussed. The 4 site design includes parking lots in front of the units and would be considerably less attractive.

An item that was up for discussion was the inclusion of a fence or screen along 49th street to restrict foot traffic. The agreed upon compromise was a landscape berm that would be made up of bushes that will provide a "green screen" and be much more attractive than the metal fence that was suggested by the neighborhood. A new site plan and examples of this green screen have been sent to planning for inclusion at the planning commission meeting next week.

Thank you.

On Thu, Aug 30, 2018 at 10:03 AM Andrews, Brenda <bandrews@fortsmithar.gov> wrote:

Brett:

Just a reminder to send me the attendance record and a summary of last night's meeting. Also, I'll need a revised plan showing the landscape berm on North 49th Street.

Thanks!

Brenda Andrews, senior planner

City of Fort Smith

479-784-2219 (phone)

479-784-2462 (fax)

Miller, Perry

From: Miller, Perry
Sent: Wednesday, September 05, 2018 12:30 PM
To: Planning Email Group
Subject: 1001 N 49th Street

Crystal Clouse phone 479-431-1501 lives at 1001 N 49th Street. She just wanted to know the status of the development plan project. I informed her that it will be voted on next Tuesday at Creekmore Park. She was not in opposition or support of the project. She just wanted to know the status.

I will add a copy to the file, packet, and electronic file.

Thank you,

Tyler Miller
Planner City of Fort Smith
623 Garrison Avenue
Fort Smith, AR 72901
479-784-2241

Memo

To: City Planning Commission

From: Planning Staff

Date: September 6, 2018

Re: Variance #26-9-18 - A request by Neal Morrison, agent for Four Corks, LLC, for Board of Zoning Adjustment consideration of a zoning variance request from the Massard-Zero Overlay wall signage allowance requirements and from the UDO Section 27-602-requirements for exterior high-quality materials at 8000 South Zero Street

REQUESTED VARIANCE

Approval of the variance will allow the liquor store development to have three wall signs and vertical and horizontal prefabricated steel metal panels with concealed fasteners exceeding 49% on the east, west, and south building facades.

LOT LOCATION AND SIZE

The subject property is on the south side of Zero Street east of Hutcheson Court. Tract Lot 1A contains an area of 0.27 acres with approximately 160 feet of street frontage along Hutcheson Court and approximately 75 feet of street frontage along Zero Street. Tract Lot 1B contains an area of 0.68 acres with approximately 120 feet of street frontage along Zero Street.

EXISTING ZONING

The existing zoning on this tract is Commercial Moderate Special (C-3-SPL). The Special (SPL) on this tract is in place from the previous rezoning ordinance #1-13 required approval of the development plan by the Planning Commission.

Characteristics of this zone are as follows:

Purpose:

To provide for general commercial activities, offices, and services for the community. The C-3 zoning district promotes a broad range of commercial activities, operations, and services that are dispersed throughout the City and designed at a smaller scale than a regional center. The C-3 zoning district is appropriate in the General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-3 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, parking garage, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 12,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Building Size – 60,000 square feet	Maximum Lot Coverage - 60%
Minimum Parcel/Lot Size for Rezoning – 2 acres	
Minimum Lot Width – 75 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 20 feet	
Rear Yard Setback - 20 feet	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Major Collector or higher	

SURROUNDING ZONING AND LAND USE

The areas to the north are zoned Commercial Heavy Special (C-5-SPL) and are undeveloped.

The area to the east is zoned Extraterritorial Open Zone (ETJ-O-1) and is developed as the Walmart Distribution Center.

The area to the south is zoned C-3-SPL and is undeveloped.

The area to the west is zoned C-3-SPL and is developed as a 4 unit retail development.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South Zero Street as a Major Arterial and Hutcheson Court as a local road.

MASTER LAND USE PLAN COMPLIANCE

The Master Land Use Plan classifies the site as General Commercial. This classification is intended to provide opportunities for business transactions and activities, and meet the consumer needs of the community.

APPLICANT HARDSHIP

Signage Variance:

The applicant has states that the site technically does not have two street frontages because of the proposed lot split with the off-site parking. However, the functionality of the project does have two street frontages and the zoning code does allow three wall signs for property with two street frontages.

High-Quality Materials Variance:

The applicant states that the proposed Morin metal panels are a contemporary architectural product with a high-quality exterior finish. The applicant also states that, in his opinion, the proposed metal panel is not the type of exterior material that the UDO Commercial Design Standards were intending to prevent.

NEIGHBORHOOD MEETING

In accordance with UDO Sections 27-304 and 27-337-5, the applicant's request for a neighborhood meeting was waived. Mr. Morrison sent letters with project details and contact information to all property owners within 300 feet. To date, the applicant has not received any comments or questions regarding the development.

GRANTING OF A VARIANCE

If the BZA approves the variances, staff requests that it substantiate its reason for approval in accordance with Section 27-337-2 of the Unified Development Ordinance, which permits the granting of a variance only when it is demonstrated that such action is in keeping with the spirit and intent of the provisions of the zoning chapter.

STAFF COMMENTS

Regarding the applicant's request for a third wall sign, staff agrees with the applicant's hardship. Although, the property will have only one street frontage after the property is subdivided into two lots, the site will function as one lot with two street frontages.

The applicant's second variance pertains to a request to install prefabricated steel metal panels with concealed fasteners. The UDO Transitional and Commercial Building Design Standards require high-quality materials to cover a minimum of 51% of each building façade.

The applicant states that the prefabricated steel metal panels will consist of the following percentages:

North Elevation - 1,433 square feet (Façade facing Zero Street)

408 sq. ft.	is stone	
379 sq. ft.	is Prodema wood veneering	
646 sq. ft.	is metal panel	= 45 %
High-Quality Material		= 55%

East Elevation -1,920 square feet (Façade facing Wal-Mart Distribution site)

600 sq. ft. is stone

198 sq. ft. is Prodema wood veneering

1,122 sq. ft. is metal panel = 58%

High-Quality Material = 42%

South Elevation - 1,753 square feet (Rear Façade facing undeveloped property)

65 sq. ft. is stone

175 sq. ft. is Prodema wood veneering

1,448 sq. ft. is metal panel = 82%

High Quality Material = 18%

West Elevation - 2,060 square feet (Façade facing Hutcheson Court)

125 sq. ft. is stone

377 sq. ft. is Prodema wood veneering

1,558 sq. ft. is metal panel = 75%

High-Quality Material = 25%

The BZA approved previous variances allowing steel metal panels with concealed fasteners for Evangel Temple Church – 1201 Towson Avenue in 2016 and for Rodney Ghan for a future development retail development at 3500 Phoenix Avenue.

STAFF RECOMMENDATIONS

Staff recommends approval of the application with the following comments:

1. Construction must comply with the submitted development plan showing the proposed prefabricated steel metal panels with concealed fasteners and signage.

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Proposed Lot 1B, Replat of Lot 1, Huntington Chase Commercial Park, Fort Smith, Sebastian County, Arkansas

Address of property 8000 So. Zero Street, Existing or Proposed

Zoning Classification C-3-SP, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship

<u>FROM</u>	<u>TO</u>	
<u> </u>	-	<u> </u> Front Yard Setback or Minimum Distance from Right-of-Way
<u> </u>	-	<u> </u> Exterior Side Yard Setback
<u> </u>	-	<u> </u> Interior Side Yard Setback
<u> </u>	-	<u> </u> Rear Yard Setback
<u> </u>	-	<u> </u> Maximum Height of Structure
<u> </u>	-	<u> </u> Minimum Distance Between Structures on the Same Lot
<u> </u>	-	<u> </u> Minimum Lot Area (Square Feet)
<u> </u>	-	<u> </u> Minimum Lot Frontage
<u> </u>	-	<u> </u> Maximum Size of a Sign
<u> x </u>	-	<u> </u> Other: <u>Maximum number of wall signs (increase from 1 to 3)</u>

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

APPLICATION FOR VARIANCE

Notice is hereby given that the undersigned, as owner(s) of the following property in the Fort Smith District of Sebastian County, Arkansas, to-wit: (Legal Description)

Proposed Lot 1B, Huntington Chase Commercial Park, Fort Smith, Sebastian County, Arkansas

Address of property 8000 So. Zero Street, Existing or Proposed

Zoning Classification C-3-SP, has filed with the Planning Department a written application pursuant to Article 5-6 of Ordinance 2324 of the City of Fort Smith, Arkansas, to secure a variance from the literal provisions of the zoning ordinance as follows:

Office Use Only-List the Specific Variance Requested and Applicant Stated Hardship

FROM

TO

- | | | | |
|-------------------|---|-------------------|--|
| <u> </u> | - | <u> </u> | Front Yard Setback or Minimum Distance from Right-of-Way |
| <u> </u> | - | <u> </u> | Exterior Side Yard Setback |
| <u> </u> | - | <u> </u> | Interior Side Yard Setback |
| <u> </u> | - | <u> </u> | Rear Yard Setback |
| <u> </u> | - | <u> </u> | Maximum Height of Structure |
| <u> </u> | - | <u> </u> | Minimum Distance Between Structures on the Same Lot |
| <u> </u> | - | <u> </u> | Minimum Lot Area (Square Feet) |
| <u> </u> | - | <u> </u> | Minimum Lot Frontage |
| <u> </u> | - | <u> </u> | Maximum Size of a Sign |
| | | | To allow greater than 51% of the exterior facades |
| <u> x </u> | - | <u> </u> | Other: <u>to be prefabricated metal panels</u> |

The undersigned will present said application to the Board of Zoning Adjustment at the first regular City Planning Commission meeting following the expiration of seven (7) days from the date of this publication, at which meeting the Board of Zoning Adjustment will conduct a public hearing on

said application. All interested persons are invited to attend and are entitled to be heard. This notice is published this _____ day of _____, 20 ____.

Signed:

Neal Morrison
Owner or Agent Name (*please print*)

Owner

or

479-452-1933
Owner or Agent Phone Number


Agent

5704 Euper Lane, Suite 200
Fort Smith, AR 72903
Owner or Agent Mailing Address

Variance # _____

*Sign Variance
Hardship*

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
<u> </u>	<u> x </u>	Is this variance needed because of previous actions taken by yourself?
<u> </u>	<u> x </u>	Is this variance needed because of previous actions taken by a prior owner?
<u> x </u>	<u> </u>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<u> x </u>	<u> </u>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
<u> </u>	<u> x </u>	Is the lot of an odd or unusual shape?
<u> </u>	<u> x </u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u> x </u>	<u> </u>	Does the lot contain required easements other than those that might be located on its perimeter?
<u> </u>	<u> x </u>	Is any part of the lot in a flood plain or flood way?
<u> </u>	<u> x </u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<u> </u>	<u> x </u>	Is the lot developed with structures in violation of current zoning requirements?
<u> x </u>	<u> </u>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

The intended use of proposed Lot 1B is a liquor store. The law dictates that the property (Lot 1B) be a minimum of 1000 feet from a school, so proposed Lot 1A will be created via replat to meet this requirement. A parking lot will be constructed on proposed Lot 1A that will serve as offsite parking for proposed Lot 1B as well as existing development on Lot 2.

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

Due to the separation requirement stated above, proposed Lot 1B only has frontage on Zero Street so only one wall sign and one monument sign are allowed. From a functional perspective, the proposed development has 2 frontages and should be allowed 3 wall signs. It should also be noted that both signs are proposed to be on the wall facing Zero Street.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

Variance
27-602-4
hardship

VARIANCE INFORMATION FORM

The following paragraph (Section 27-337-2) of the Fort Smith Unified Development Ordinance defines the criteria for granting a variance:

The Board of Zoning Adjustment shall hear requests for variances from the literal provision of the zoning chapter in instances where strict enforcement of the zoning chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and shall grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the zoning chapter. The Board of Zoning Adjustment shall not permit, as a variance, any use in a zone that is not permitted under the chapter. The Board of Zoning Adjustment may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

1. To aid the Board of Zoning Adjustment in arriving at a decision on your application, please note the lot information requested and check the appropriate answer to each of the questions that follow.

<u>Yes</u>	<u>No</u>	
<u> </u>	<u> x </u>	Is this variance needed because of previous actions taken by yourself?
<u> </u>	<u> x </u>	Is this variance needed because of previous actions taken by a prior owner?
<u> x </u>	<u> </u>	A zoning hardship is present only when a property has no reasonable use without a variance. Do you have use of your property without a variance?
<u> </u>	<u> x </u>	Is the variance needed due to the unique circumstances of the property (such as lot area, lot width, setbacks, yard requirements, or building height)? If yes, please explain on the following page.
<u> </u>	<u> x </u>	Is the lot of an odd or unusual shape?
<u> </u>	<u> x </u>	Does the lot have "radical" topography (steep, unbuildable slopes - streams or bodies of water - unstable or eroded area)?
<u> x </u>	<u> </u>	Does the lot contain required easements other than those that might be located on its perimeter?
<u> </u>	<u> x </u>	Is any part of the lot in a flood plain or flood way?
<u> </u>	<u> x </u>	Is the lot smaller than minimum lot area or minimum frontage for its zoning classification?
<u> </u>	<u> x </u>	Is the lot developed with structures in violation of current zoning requirements?
<u> x </u>	<u> </u>	Does the lot front any street classified as an arterial or collector on the Master Street Plan?

Explanation of question #4 (if applicable)

2. Describe how the strict enforcement of the zoning code causes an undue hardship for your project:

As shown on the building elevations and rendering, the Morin metal panels are a contemporary architectural product that we feel should be considered a "high quality" exterior finish.

Further, we do not believe this application of metal exterior was the type of construction the commercial building design standards were intended to prevent.

3. List any special circumstances/conditions which exist that have not been created by the owner/applicant and do not apply to other properties in your area:

LETTER REGARDING RESTRICTIVE COVENANTS

Restrictive covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*

TO: Planning Department

SUBJECT: Legal Description of Property

Proposed Lot 1B, Replat of Lot 1, Huntington Chase Commercial Park, Fort Smith, Sebastian County, Arkansas

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land, except as follows:

None

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Neal Morrison to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

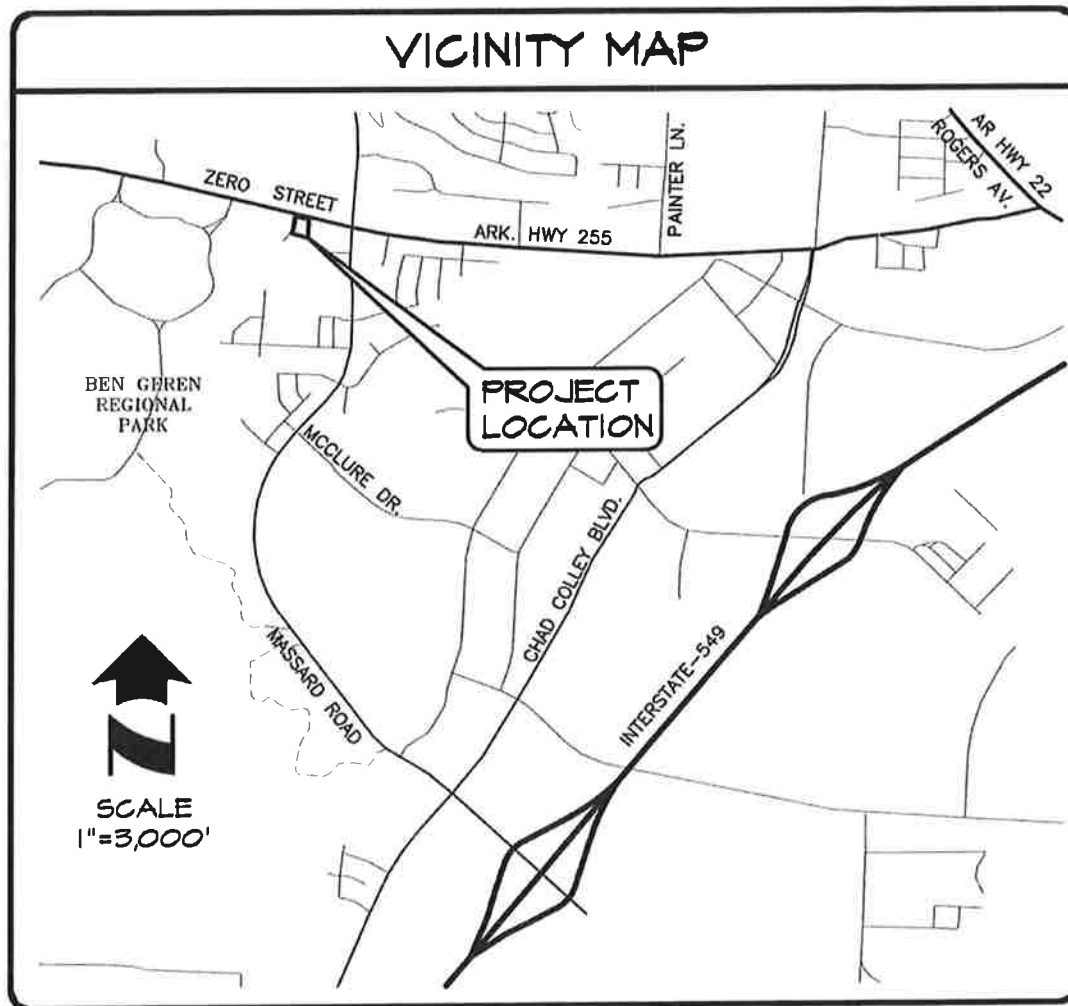
NAMES OF ALL OWNERS.

1. Four Corks, LLC
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

SIGNATURE OF ALL OWNERS.

James K. Hadley

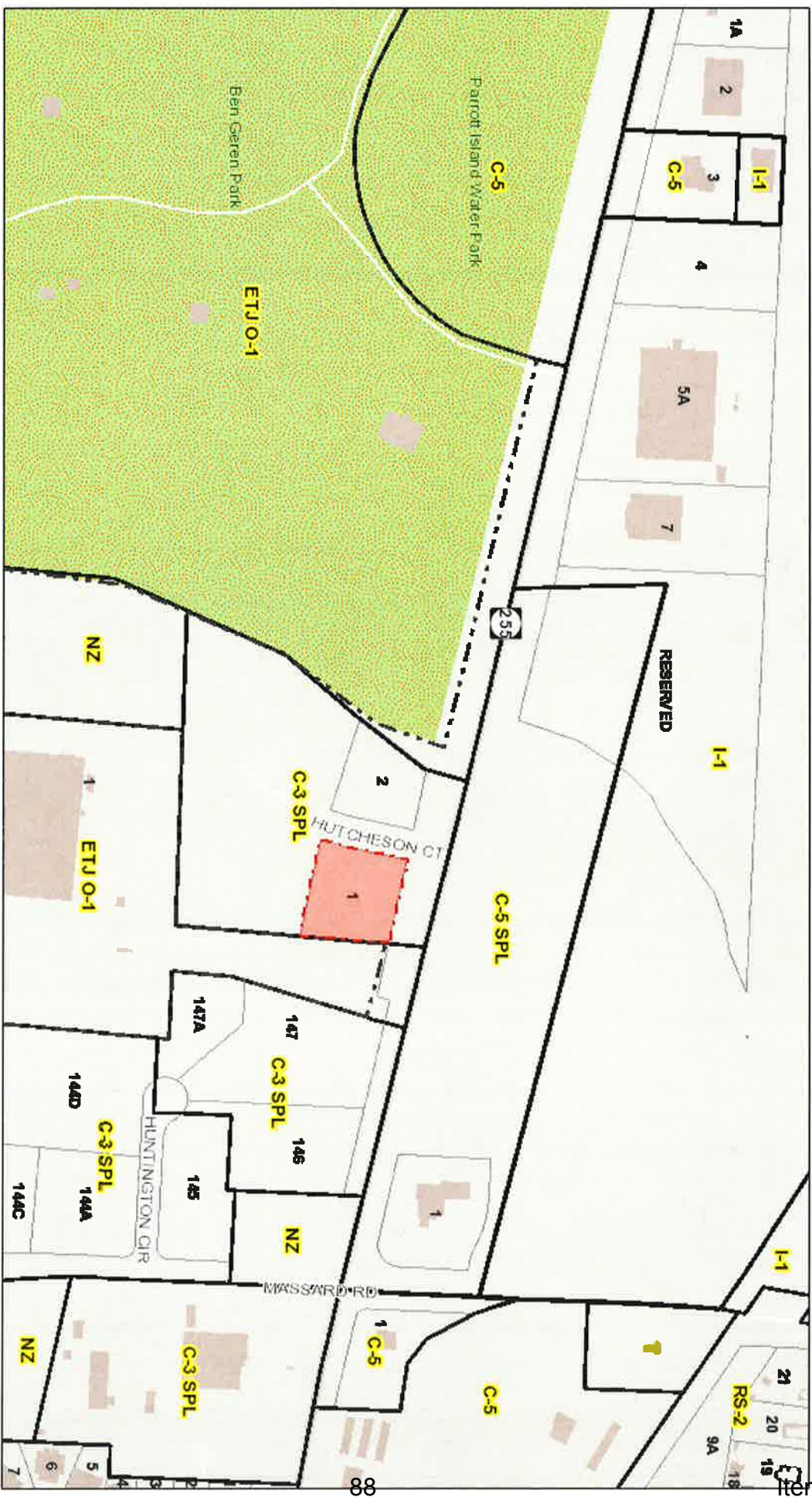
This form is necessary only when the person representing this request does not own all property.



Item 5

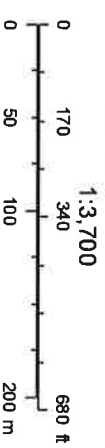


Variance #26-9-18: From 1 to 2 maximum number of wall signs and from the high quality material requirements of the UDO at 8000 South Zero Street



August 30, 2018

- Fort Smith City Limits
- Zoning
- Subdivisions
- Water Bodies
- Public Schools
- Parks



Development Plan & Variance

7950 & 8000 South Zero Street

Legend





FOUR CORKS RENDERING

Andrews, Brenda

From: Tony Leraris [Tony@archplusinc.net]
Sent: Thursday, August 30, 2018 2:15 PM
To: Andrews, Brenda
Cc: Neal Morrison; Jimmy Didier; James Hadley; Michael; DavidHarperM@gmail.com
Subject: four Corks exterior finishes

Brenda,

Neal Morrison wanted me to send you this:

North elevation materials total 1,433 square feet:

408 sq. ft. is stone

379 sq. ft. is Prodema wood veneering

646 sq. ft. is metal panel (this is only 45 %)

East Elevation materials total 1,920 square feet:

600 sq. ft. is stone

198 sq. ft. is Prodema wood veneering

1,122 sq. ft. is metal panel (58%)

South Elevation materials total 1,753 square feet:

65 sq. ft. is stone

175 sq. ft. is Prodema wood veneering

1,448 sq. ft. is metal panel (82%)

West Elevation materials total 2,060 square feet:

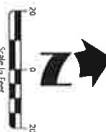
125 sq. ft. is stone

377 sq. ft. is Prodema wood veneering

1,558 sq. ft. is metal panel (75%)

Hope this is what you need.

Tony



Prefabricated Metal Panels with Concealed Fastener Information





METAL WALL & ROOF SYSTEMS



MORIN INTEGRITY SERIES



Integrity Series is an integrated, concealed fastener, rainscreen, wall panel system. The asymmetrical shape of the X-12 panel was created by the well known Japanese architect Fumihiko Maki in the early 1990's. Since then it has become one of the most popular profiles selected by architects for use on buildings of all types.

Thirteen unique profiles

Concealed clip and fastener design

Common joint design allowing multiple panel integration

Weather tight or rainscreen rear ventilated application

Ideal for new or retrofit projects

Smooth surface standard, stucco embossed texture optional

All PVDF painted finishes available

All weather installation

Optional factory caulking available

Panel Depth

7/8" (22mm)

Cover Width

12" (305mm) or 16" (406mm)

Lengths

5' (1.52m) to 30' (9.14m) Standard
Shorter and longer lengths available

Galvalume/Zincalume

Painted Steel Options

18 GA (1.19mm) / 20 GA (.91mm) /
22 GA (.76mm) / 24 GA (.60mm)

Aluminum Options

.050 GA (1.27mm) /
.040 GA (1mm)

Stainless Steel Options

20 GA (.91mm) / 22GA (.76mm) /
24 GA (.60mm)

Zinc Options

18 GA (1.5mm) / 20 GA (1.0mm) /
22 GA (.91mm)

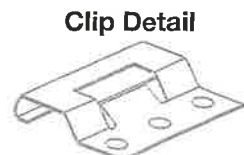
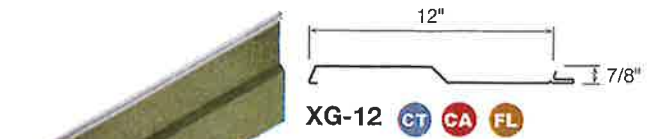
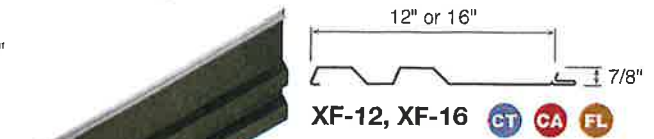
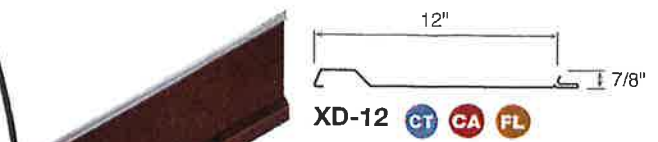
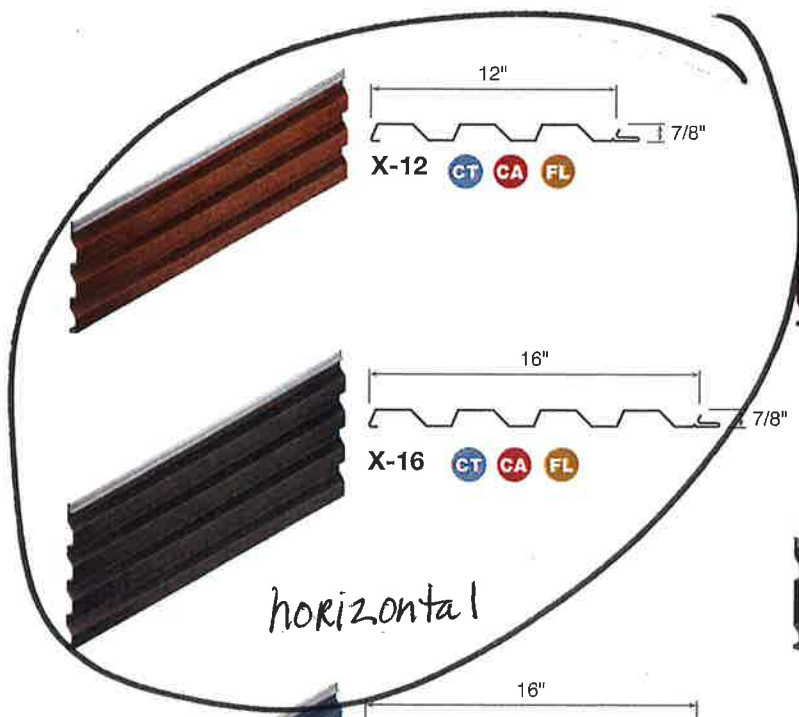
Natural Copper Options

20 oz. / 16 oz.

Application

Horizontal or vertical

Item 5



*Heavier gauges suggested

Morin

A Kingspan Group Company

HQ / East 685 Middle Street, Bristol, CT 06010, 1-800-640-9501

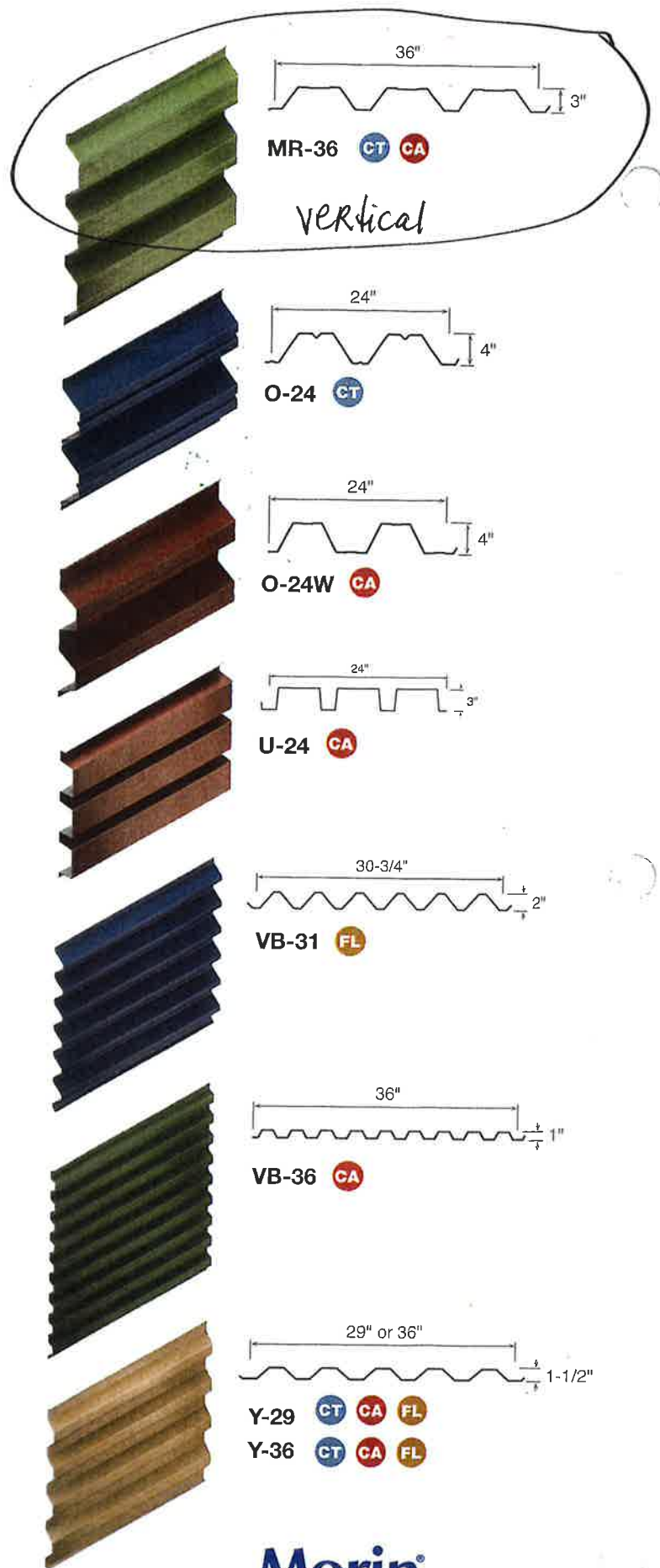
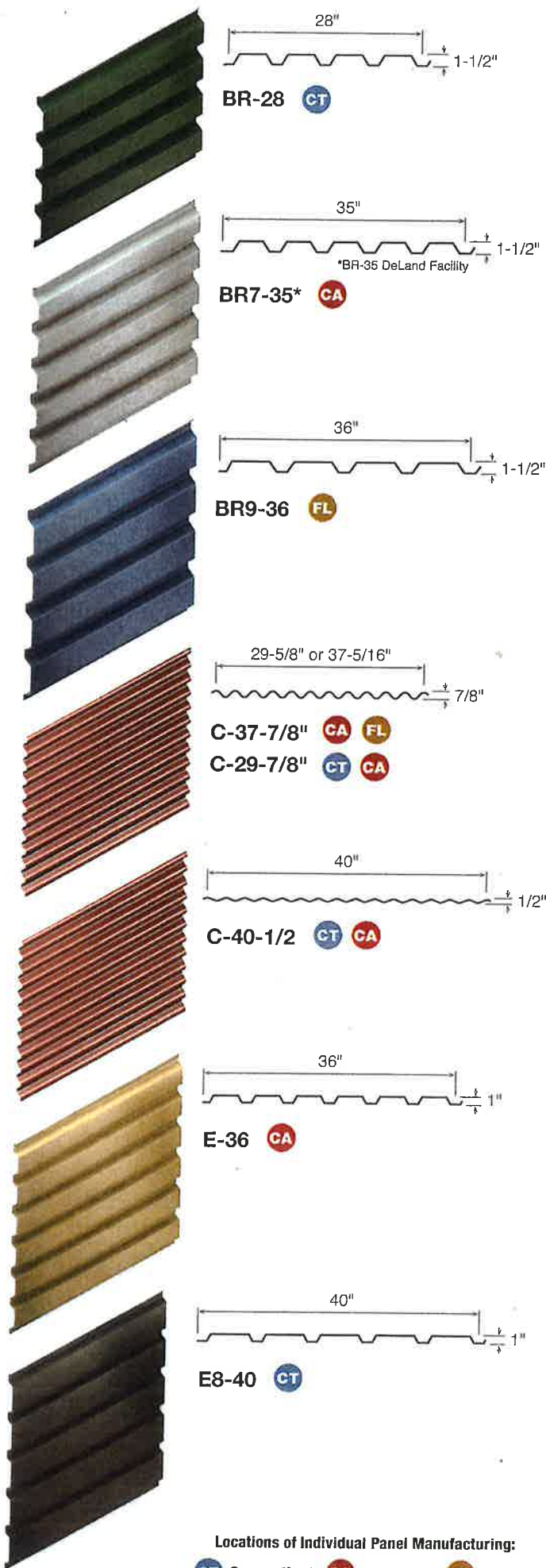
West 10707 Commerce Way, Fontana, CA 92337, 1-800-640-9501

South 1975 Eldson Drive, Deland, FL 32724, 1-800-640-9501

www.morincorp.com

Locations of Individual Panel Manufacturing: 98

CT Connecticut CA California FL Florida



Morin

A Kingspan Group Company

HQ / East 685 Middle Street, Bristol, CT 06010, 1-800-640-9501
 West 10707 Commerce Way, Fontana, CA 92337, 1-800-700-6140
 South 1975 Eidson Drive, Deland, FL 32724, 1-800-640-9501

www.morincorp.com

Locations of Individual Panel Manufacturing:

CT Connecticut **CA** California **FL** Florida

GRANITSTONE® Granitstone® coatings have an oven-baked epoxy primer and a factory applied finish of an air-dried 100% acrylic bonder with natural silica aggregate, minimum 12 mils dry film thickness, finished to resemble sprayed stucco.



IMPERIAL WHITE



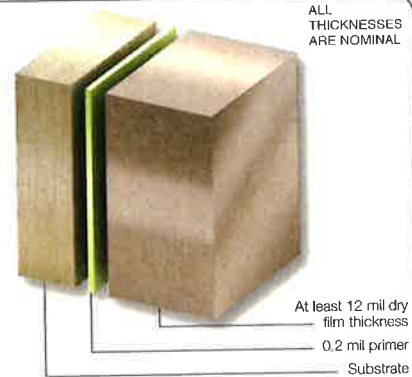
SANDSTONE



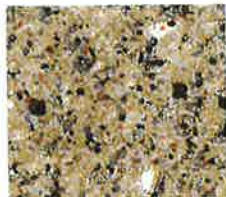
SURREY BEIGE



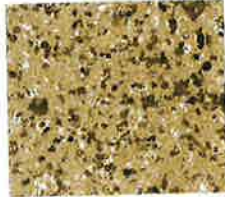
RAWHIDE



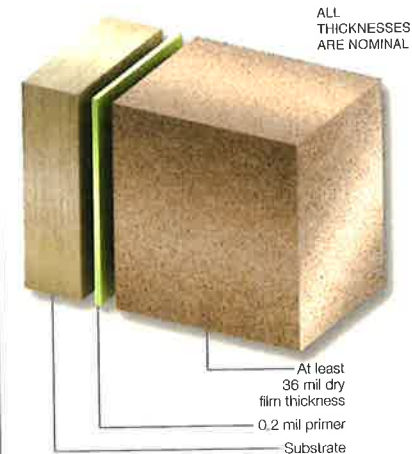
GRANITSTONE QUARTZ



DAKOTA BRONZE



FOXWOOD BEIGE



RHEINZINK® ALLOYS



PRE-WEATHERED
BLUE GRAY



PRE-WEATHERED
GRAPHITE GRAY

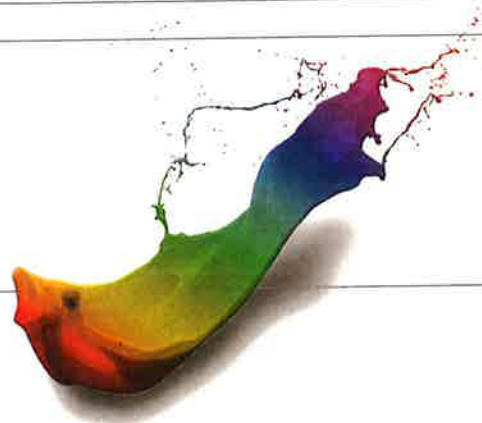
RHEINZINK®

RHEINZINK® is the trade name for a titanium zinc alloy, manufactured in the form of thin gauge sheet metal, used for roofing and facade cladding. RHEINZINK® is 99.995% pure electrolytic special high-grade zinc alloyed with small quantities of titanium and copper. RHEINZINK®'s unique "Pre-weathered" alloys develop a natural protective patina with life expectancies up to 200 years.



CUSTOM COLOR MATCHING AVAILABLE

Morin makes it easy to add protection and visual distinction to your next project. Our state-of-the-art color and paint facility can achieve virtually any tint, shade or finish to your specifications, quickly and accurately. To get started, contact our experienced sales representatives today for details.



SR (Solar Reflectivity)

This is the ability of a material to reflect solar energy back into the atmosphere. Rated on a scale from 0 to 1, where 1 is the most reflective.

E (Emissivity)

Emissivity is the materials ability to release absorbed energy back into the atmosphere. Rated on a scale from 0 to 1, where 1 is the most emissive.

SRI (Solar Reflective Index)

This is used to determine compliance with LEED® requirements and is calculated according to ASTM E 1980 using values for reflectance and the materials ability to release absorbed energy (emissivity) in medium wind speed conditions. Rated on a scale from 0 to 100, where 100 is the most reflective.

Color chips are shown within limits of chip reproduction, but are not necessarily accurate due to printing process and viewing conditions. Color chip samples are available upon request. Metalescent colors (Nila and Metallic colors) are directional colors and will have minor differences with each production run. To minimize these effects, all material for the project should be painted together.

Spec data sheets for all finishes are available from your Morin sales representative.

Memo

To: City Planning Commission

From: Planning Staff

Date: September 6, 2018

Re: Development Plan #12-9-18 - A request by Neal Morrison, agent for Four Corks, LLC, for Planning Commission consideration of a Development Plan request to develop a beer, wine and liquor store (with drive-through) and off-site parking lot located at 7950 and 8000 South Zero Street

PROPOSED DEVELOPMENT PLAN

Approval of the project will allow a 6,480 s.f. beer, wine, and liquor store (with drive-through), landscaping and 23 parking spaces on the proposed Huntington Chase Commercial Park, Lot 1B and an off-site parking lot with 16 spaces and landscaping located on proposed Lot 1A.

LOT LOCATION AND SIZE

The subject property is on the south side of Zero Street east of Hutcheson Court. Tract Lot 1A contains an area of 0.27 acres with approximately 160 feet of street frontage along Hutcheson Court and approximately 75 feet of street frontage along Zero Street. Tract Lot 1B contains an area of 0.68 acres with approximately 120 feet of street frontage along Zero Street.

OVERLAY DISTRICT

The property is located in the Massard-Zero Overlay District.

EXISTING ZONING

The existing zoning on this tract is Commercial Moderate Special (C-3-SPL). Ordinance #1-13 requires development plan approval by the Planning Commission.

Characteristics of this zone are as follows:

Purpose:

To provide for general commercial activities, offices, and services for the community. The C-3 zoning district promotes a broad range of commercial activities, operations, and services that are dispersed throughout the City and designed at a smaller scale than a regional center. The C-3 zoning district is appropriate in the General Commercial, Mixed Use Residential, and Mixed Use Employment classification of the Master Land Use Plan.

Permitted Uses:

A wide variety of retail uses including clothing stores, specialty shops and restaurants. Commercial-3 zones also allow professional offices and multi-family apartments, community residential facility and neighborhood group homes are examples of permitted uses.

Conditional Uses:

Orphanage, dormitory, sorority, fraternity, bicycle sales and service, beer, wine and liquor store, convenience store, restaurants with outdoor dining, pet cemetery, parking garage, utility substations, event center, community recreation center, golf course, parks, educational facilities, police station, nursing home and churches are examples of uses permitted as conditional uses.

Area and Bulk Regulations:

Minimum Lot Size – 12,000 square feet	Maximum Height - 35 feet (1+1)
Maximum Building Size – 60,000 square feet	Maximum Lot Coverage - 60%
Minimum Parcel/Lot Size for Rezoning – 2 acres	
Minimum Lot Width – 75 feet	
Front Yard Setback - 25 feet	
Side Yard on Street Side of Corner Lot - 15 feet	
Side Yard Setback – 20 feet	
Rear Yard Setback - 20 feet	
Minimum building separation – to be determined by current City building and fire code.	
Required street access – Major Collector or higher	

SURROUNDING ZONING AND LAND USE

The areas to the north are zoned Commercial Heavy Special (C-5-SPL) and are undeveloped.

The area to the east is zoned Extraterritorial Open Zone (ETJ-O-1) and is developed as the Walmart Distribution Center.

The area to the south is zoned C-3-SPL and is undeveloped.

The area to the west is zoned C-3-SPL and is developed as a 4 unit retail development.

MASTER STREET PLAN CLASSIFICATION

The Master Street Plan classifies South Zero Street as a Major Arterial and Hutcheson Court as a local road.

SITE DESIGN FEATURES

Ingress/egress/traffic circulation – The development plan shows that all ingress and egress will occur on two proposed driveways and mutual access easements on Hutcheson Court.

Easement/utilities – The developer must agree to meet all franchise and city utility easement requirements. Additionally, the development must comply with the City's Subdivision Design and Improvement Standards and the Standard Specification for Public Works Construction.

Drainage – All drainage information shall be approved by the City of Fort Smith Engineering Department prior to the issuance of a building permit.

Right-of-way dedication – No new R.O.W. dedication is required.

Landscaping – A landscaping plan shows a 10' wide perimeter landscape buffer and interior landscaping consisting of Maple trees and Burford Hollies. Irrigation or a maintenance plan will be required.

Screening – The landscaping shrubbery appears to comply with the parking lot screening requirement. A dumpster screen is also shown on the plans. Rooftop units are proposed and will be screened with 4' tall metal panels.

Parking – The development complies with the minimum parking requirement for a liquor store. The adjacent off-site parking lot will allow for overflow parking. All parking spaces will require dimensions.

Signage – The plans show two wall signs on the north façade, one wall sign on the west façade and a monument sign on the west property line. A companion variance application has been submitted requesting a variance from the Massard-Zero Overlay signage requirements, which limit properties to one wall sign and a logo sign if the lot has street frontage on only one street.

Lighting – Site lighting information is shown and the light fixtures comply with the UDO.

Architectural features – The exterior building materials include a mixture of vertical concealed steel metal panels, wood panels, and native stone. A portico with a drive-through window is located on the west side of the building. The applicant has submitted a companion variance to allow vertical and horizontal prefabricated steel metal panels on more than 49% on the east, west, and south facades.

Height and Area – The building contains approximately 6,480 s.f. with a height of approximately 24'. The development complies with the UDO height and area requirements.

NEIGHBORHOOD MEETING

In accordance with UDO Sections 27-304 and 27-337-5, the applicant's request for a neighborhood meeting was waived. Mr. Morrison sent letters with project details and contact information to all property owners within 300 feet. To date, the applicant has not received any comments or questions regarding the development.

STAFF RECOMMENDATIONS

Staff recommends approval with the following comments:

1. Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

2. Final plans submitted with the building permit will provide details regarding an irrigation system or maintenance plan and parking space dimensions.
3. All signage will require submittal of a sign permit application and review and approval by city staff.
4. BZA approval of the companion variance application allowing an additional wall sign and allowing prefabricated steel metal panels with concealed fasteners exceeding 49% on the east, west, and south building facades.

DEVELOPMENT PLAN REVIEW APPLICATION

Before the Planning Commission of the City of Fort Smith, Arkansas

The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Fort Smith, Arkansas, pursuant to Ordinance No. 3391 and Arkansas Statutes (1974) 19-2830, representing to the Planning Commission as follows:

1. The applicant is the owner or the agent for the owner(s) of real estate situated in the City of Fort Smith, Sebastian County, Arkansas, described as follows: (Insert legal description)

Lot 1, Huntington Chase Commercial Park, Fort Smith, Sebastian County, Arkansas

2. Address of property: 7950 and 8000 South Zero Street

3. The above described property is now zoned: C-3-SP

4. Does the development plan include a companion rezoning request?

Yes x No

5. If yes, please specify the companion application submitted:

- ☐ Conventional Rezoning
- ☐ Planned Rezoning
- ☐ Conditional Use
- ☐ Master Land Use Plan Amendment
- ☒ Variance

6. If applicable, a companion rezoning application is proposed to change the zoning classification of the above described property to:

_____ by _____
(Zoning Classification) (Extension or classification)

7. Existing zoning, structures and driveways on surrounding properties within 300 feet of subject property:

See attached Exhibit A

8. Total acreage of property 0.95 acres

Signed:

Neal Morrison

Owner or Agent Name
(please print)

5704 Euper Lane, Suite 200

Fort Smith, AR 72903

Owner or Agent Mailing Address

479-452-1933

Owner or Agent Phone Number

Owner

or



Agent

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Fort Smith's Zoning Regulations. *(See attached additional information on restrictive covenants)*

TO: Planning Department

SUBJECT: Legal Description of Property *(Insert legal description)*

Lot 1, Huntington Chase Commercial Park, Fort Smith, Sebastian County, Arkansas

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above described land except as follows: *

None


Signature

(If no restrictive covenants exist, indicate "none".)*

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a rezoning by application do hereby authorize Neal Morrison to act as our agent in the matter.
(Print Name of Agent)

(Type or clearly print)

NAMES OF ALL OWNERS.

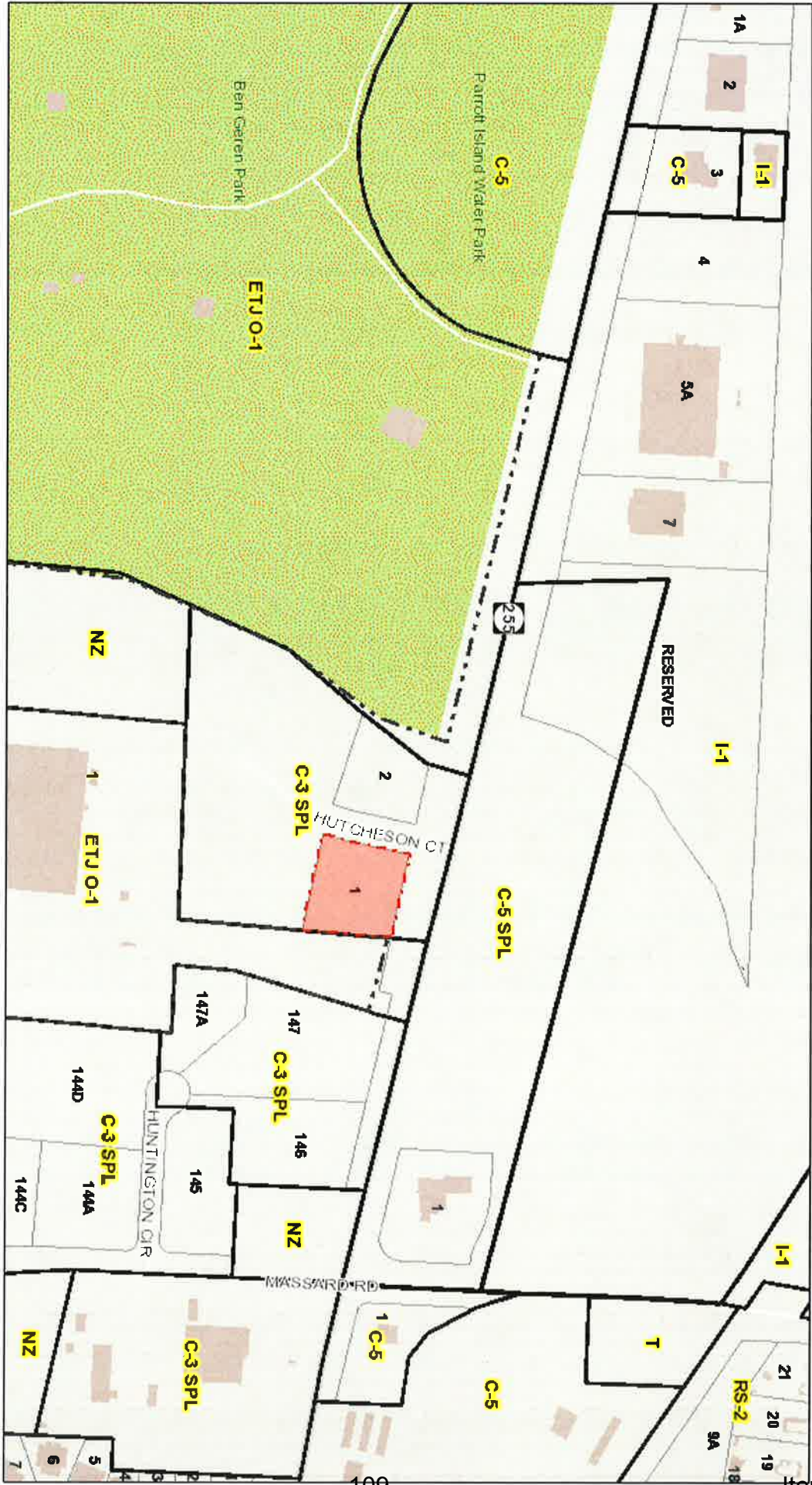
1. Four Corks, LLC
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

SIGNATURE OF ALL OWNERS.

James K. Hadley

This form is necessary only when the person representing this request does not own all property.

Development Plan #12-9-18: liquor store with drive-through and off-site parking lot 7950 & 8000 South Zero Street



August 30, 2018

- Fort Smith City Limits
- Zoning
- Subdivisions
- Water Bodies
- Public Schools
- Parks

Development Plan & Variance
7950 & 8000 South Zero Street



Legend

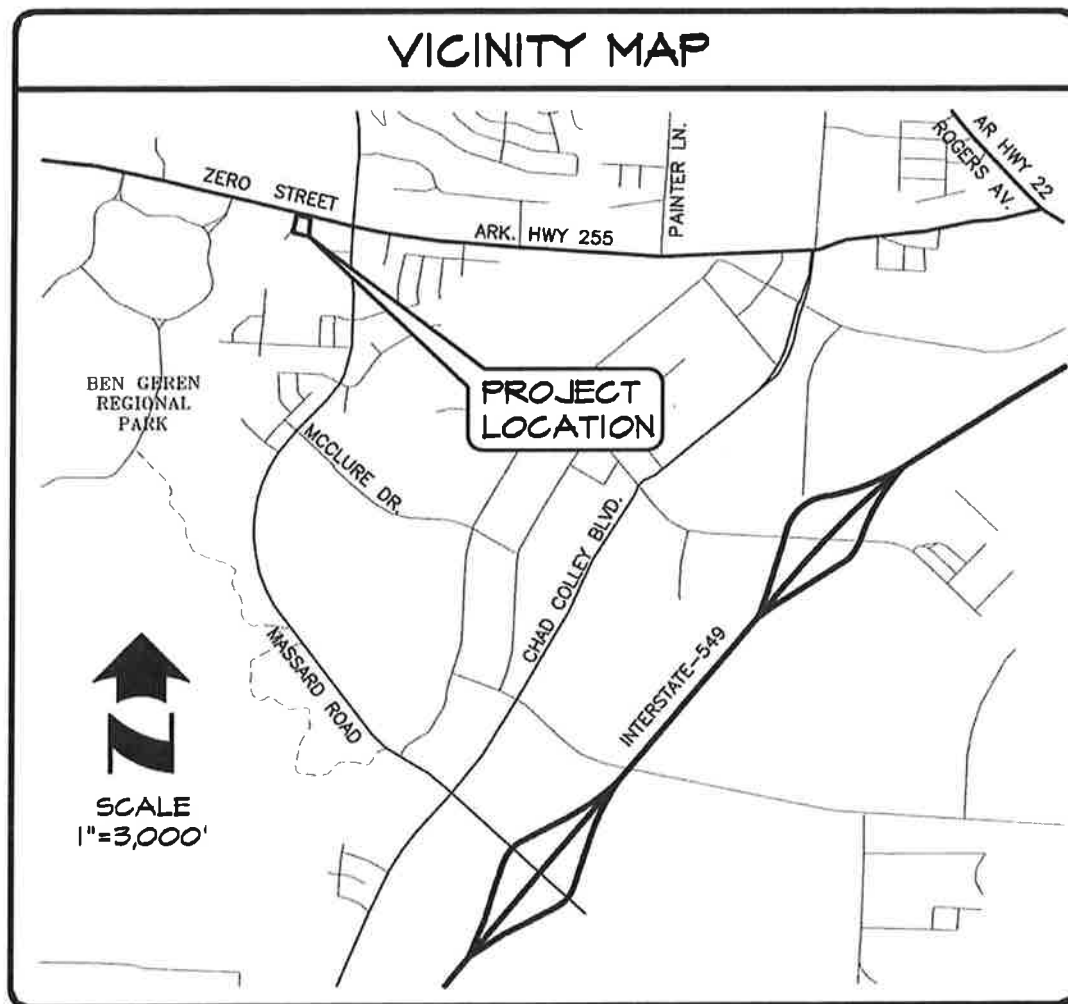


Exhibit "A" Zoning Map



- August 17, 2018
- Fort Smith City Limits
- Zoning
- Parcels
- Water Bodies
- Public Schools

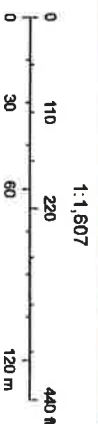


Exhibit "B" Land Use Map



August 17, 2018

Fort Smith City Limits

Parcels

Water Bodies

Public Schools



FOUR CORKS RENDERING



PROJECT 14-57
DATE AUG. 17, 2014
A2.0

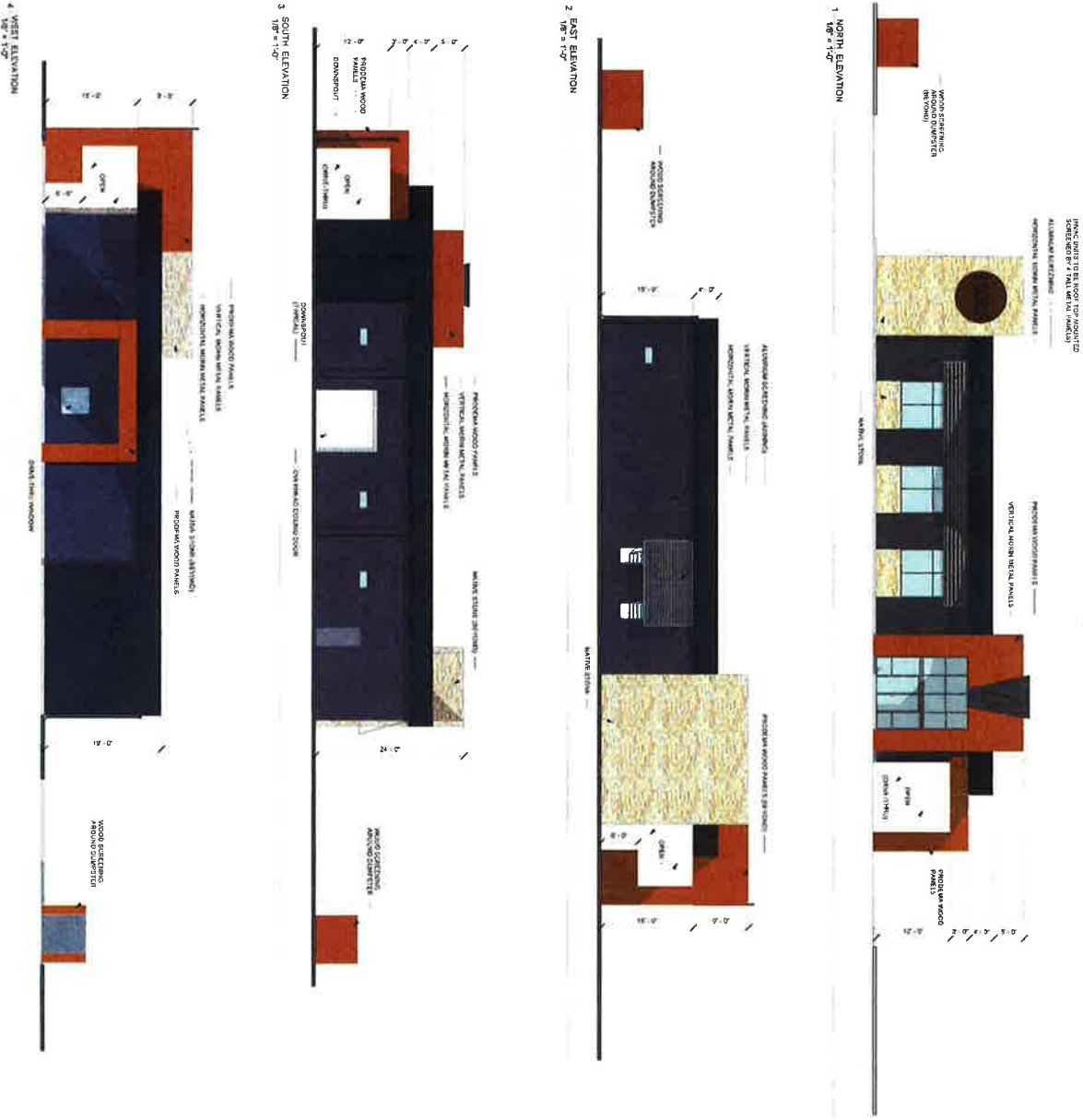
MEETING

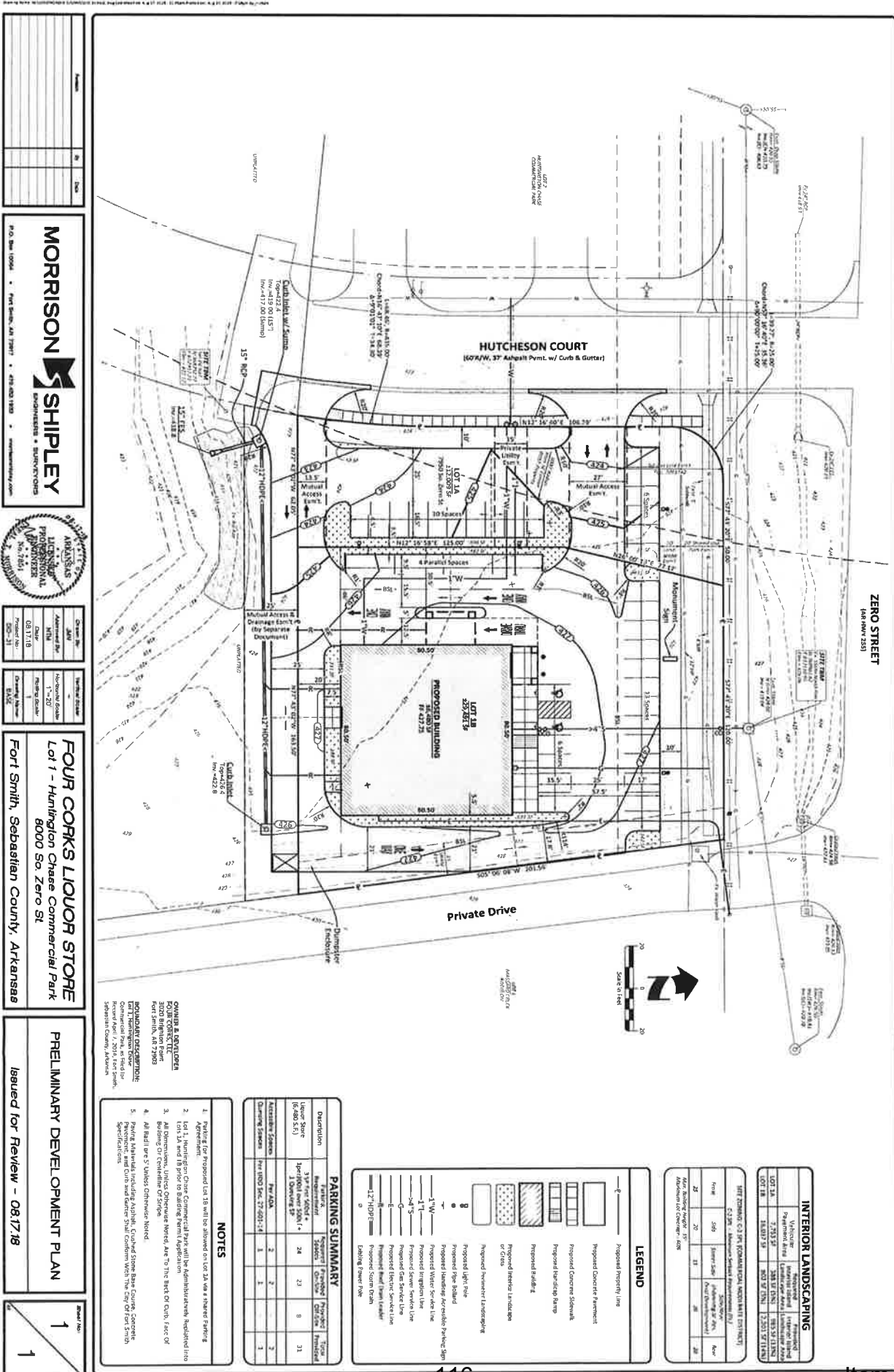
ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

ELEVATIONS

FOUR CORKS LIQUOR STORE

8000 S ZERO STREET
FORT SMITH, AR 72908





MORRISON SHIPLEY
ENGINEERS & SURVEYORS
P.O. Box 10994 • Fort Smith, AR 72201 • 479-422-1930 • www.morrisonshipley.com



Client No.	2018-01
Project No.	2018-01
Drawn By	MLH
Checked By	MLH
Scale	AS SHOWN

FOUR CORKS LIQUOR STORE
Lot 1 - Huntington Chase Commercial Park
8000 So. Zero St
Fort Smith, Sebastian County, Arkansas

PRELIMINARY DEVELOPMENT PLAN
Issued for Review - 08.17.18

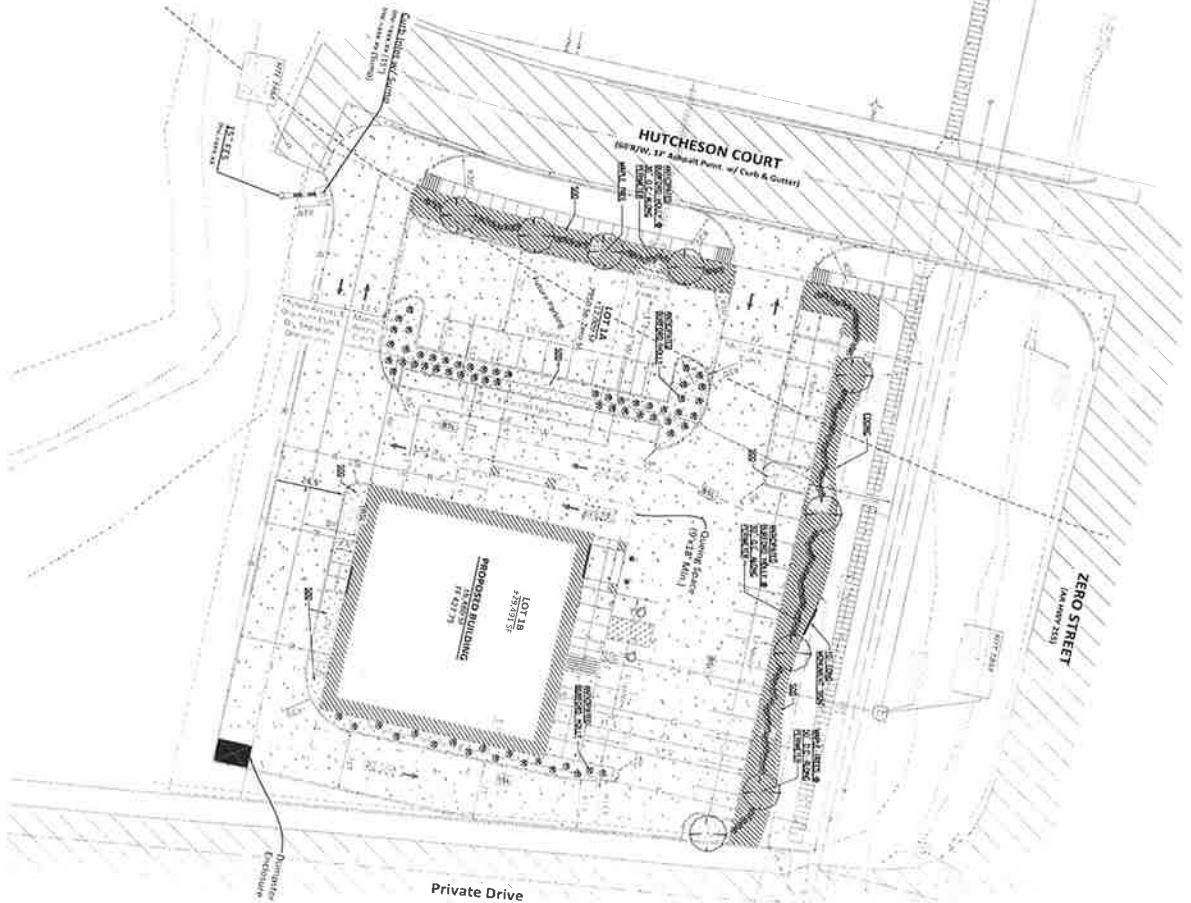
Sheet No. 1

INTERIOR LANDSCAPING			
Item	Quantity	Unit	Notes
1	2,763 SF	SF	Interior Landscaping
2	2,763 SF	SF	Interior Landscaping
3	2,763 SF	SF	Interior Landscaping
4	2,763 SF	SF	Interior Landscaping
5	2,763 SF	SF	Interior Landscaping
6	2,763 SF	SF	Interior Landscaping
7	2,763 SF	SF	Interior Landscaping
8	2,763 SF	SF	Interior Landscaping
9	2,763 SF	SF	Interior Landscaping
10	2,763 SF	SF	Interior Landscaping

NOTES			
1.	Paving for Proposed Lot 1B will be allowed on Lot 1A via a Shared Parking Agreement.		
2.	Lot 1, Huntington Chase Commercial Park will be developed with a Shared Parking Agreement.		
3.	Lot 1A and 1B prior to Building Permit Application.		
4.	All Dimensions, Unless Otherwise Noted, are to the Back of Curb, Face of Building or Centerline of Street.		
5.	All Building Setbacks Unless Otherwise Noted.		
6.	Paving Materials including Asphalt, Concrete Stone Base Course, Concrete Subgrade, and Gravel shall conform with the City of Fort Smith Specifications.		
7.	Paving Materials shall conform with the City of Fort Smith Specifications.		
8.	Paving Materials shall conform with the City of Fort Smith Specifications.		
9.	Paving Materials shall conform with the City of Fort Smith Specifications.		
10.	Paving Materials shall conform with the City of Fort Smith Specifications.		

PARKING SUMMARY			
Description	Number of Spaces	Notes	Total
1. 31 ft x 60 ft x 10 ft	24	23	21
2. 10 ft x 10 ft x 10 ft	1	1	1
3. 10 ft x 10 ft x 10 ft	1	1	1
4. 10 ft x 10 ft x 10 ft	1	1	1
5. 10 ft x 10 ft x 10 ft	1	1	1
6. 10 ft x 10 ft x 10 ft	1	1	1
7. 10 ft x 10 ft x 10 ft	1	1	1
8. 10 ft x 10 ft x 10 ft	1	1	1
9. 10 ft x 10 ft x 10 ft	1	1	1
10. 10 ft x 10 ft x 10 ft	1	1	1

LANDSCAPING PLAN



LANDSCAPE LEGEND	
	TREE AND SHRUB
	TREE - 3'
	TREE - 5'
	TREE - 10'
	TREE - 15'
	TREE - 20'
	TREE - 25'
	TREE - 30'
	TREE - 35'
	TREE - 40'
	TREE - 45'
	TREE - 50'
	TREE - 55'
	TREE - 60'
	TREE - 65'
	TREE - 70'
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	TREE - 80'
	TREE - 85'
	TREE - 90'
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	TREE - 940'
	TREE - 945'
	TREE - 950'
	TREE - 955'
	TREE - 960'
	TREE - 965'
	TREE - 970'
	TREE - 975'
	TREE - 980'
	TREE - 985'
	TREE - 990'
	TREE - 995'
	TREE - 1000'



ARCHITECTURE PLUS, INC.
907 South 21st Street Fort Smith, Arkansas 479/783-8395

REVISIONS:

1.1

LANDSCAPING PLAN

FOUR CORKS LIQUOR STORE

8000 S ZERO STREET
FORT SMITH, AR 72908

Item 6

FORT SMITH PLANNING COMMISSION APPROVAL:
 Date: _____
 Chairman: _____
 Secretary: _____



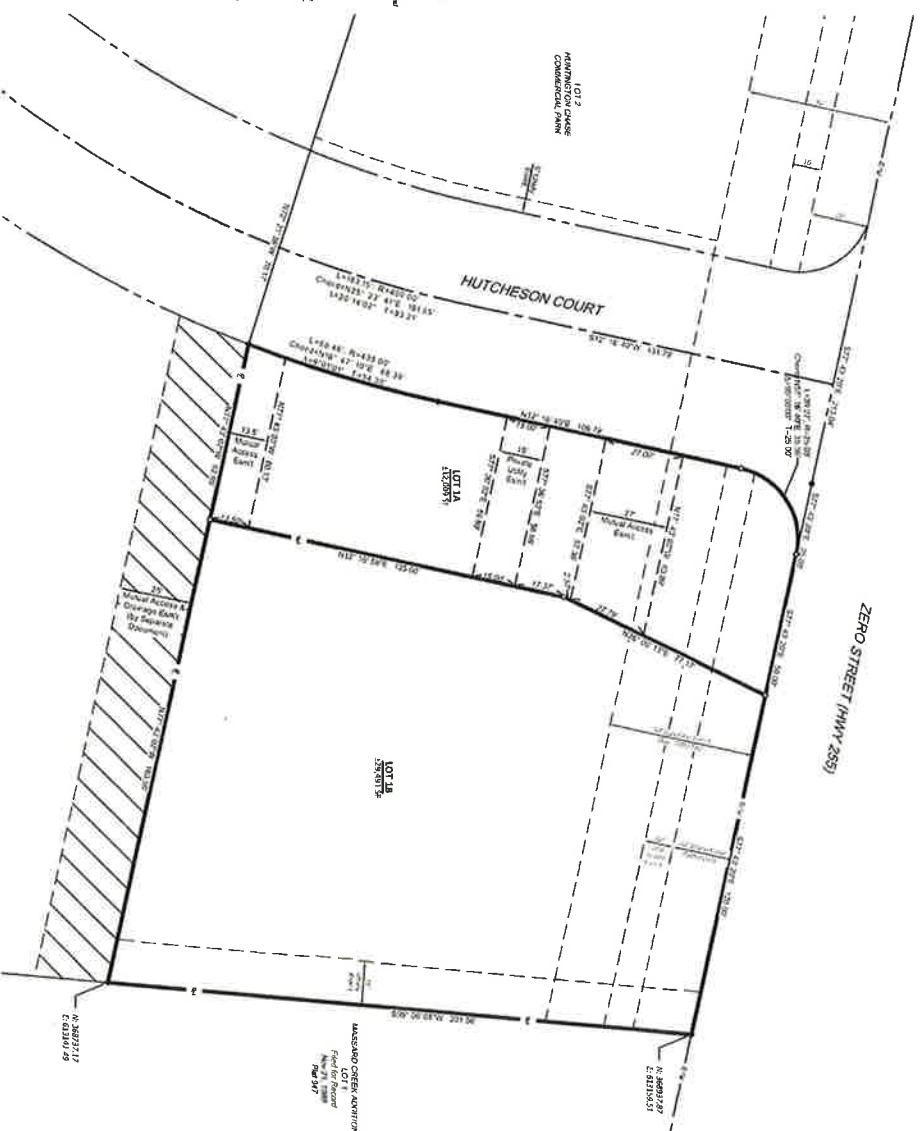
GENERAL NOTES:
 1. All dimensions shown are approximate and are subject to change without notice.
 2. All dimensions shown are approximate and are subject to change without notice.
 3. All dimensions shown are approximate and are subject to change without notice.
 4. All dimensions shown are approximate and are subject to change without notice.
 5. All dimensions shown are approximate and are subject to change without notice.
 6. All dimensions shown are approximate and are subject to change without notice.
 7. All dimensions shown are approximate and are subject to change without notice.
 8. All dimensions shown are approximate and are subject to change without notice.
 9. All dimensions shown are approximate and are subject to change without notice.
 10. All dimensions shown are approximate and are subject to change without notice.

PROPOSED NOTES:

1. The proposed development is located on the east side of the property.
2. The proposed development is located on the east side of the property.
3. The proposed development is located on the east side of the property.
4. The proposed development is located on the east side of the property.
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9. The proposed development is located on the east side of the property.
10. The proposed development is located on the east side of the property.

REFERENCE DOCUMENTS:

1. The proposed development is located on the east side of the property.
2. The proposed development is located on the east side of the property.
3. The proposed development is located on the east side of the property.
4. The proposed development is located on the east side of the property.
5. The proposed development is located on the east side of the property.
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8. The proposed development is located on the east side of the property.
9. The proposed development is located on the east side of the property.
10. The proposed development is located on the east side of the property.



HUNTINGTON CHASE COMMERCIAL PARK (Lot 1A & 1B)

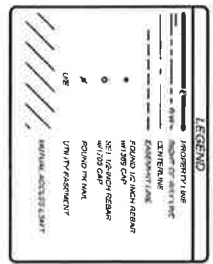
BEING A REPLAT OF HUNTINGTON CHASE COMMERCIAL PARK LOTS 1 & 2 AS FILED FOR RECORD
 APRIL 7, 2014
 FORT SMITH, SEBASTIAN COUNTY, ARKANSAS
 August 2018

ALLOTTERS:
 State of Arkansas
 County of _____
 City of _____
 This is _____ DAY OF _____, 20____.
 My Commission Expires: _____

STATE OF ARKANSAS
 COUNTY OF _____
 CITY OF _____
 THIS IS _____ DAY OF _____, 20____.
 My Commission Expires: _____

PLANNING COMMISSION APPROVAL:
 Date: _____
 Chairman: _____
 Secretary: _____

ENGINEERS & SURVEYORS:
 MORRISON SHIPLEY
 2000 Maple Lane, Suite 200 • Fort Smith, AR 72203 • 479.653.1023 • msh@msurvey.com



PRELIMINARY
 MORRISON SHIPLEY
 ENGINEERS & SURVEYORS

ProdEX

exteriors by Prodema®

ProdEX (by **Prodema**), our new line of exterior cladding, is about to change the mindset in architecture on a global level.

Because with **ProdEX** (by **Prodema**) finally there is a range of composite wood, which synthesizes all the benefits of a material so noble, beautiful and versatile as wood, with the guarantee of performance and durability that our patented formula based on paper and resins offers.

Opening up a new world of possibilities to architects or quantity surveyors seeking a real alternative to cold, grey and mundane materials for cladding their buildings.

Edges may vary in shade



Light brown *



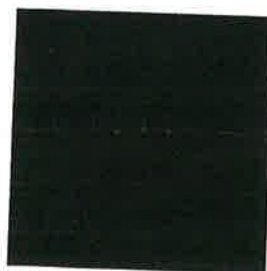
Rustik **



Pale *



Mocca *



Mint *



Cream *



Deep brown **



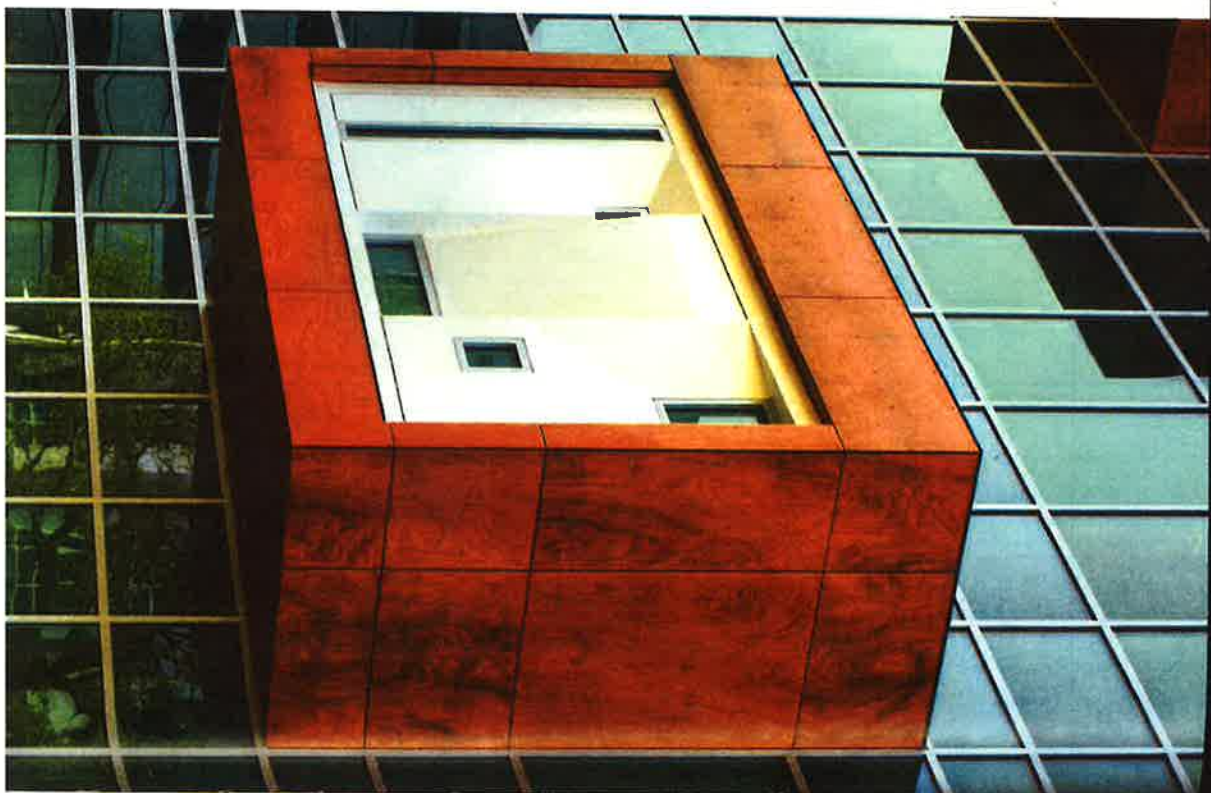
Dark brown *



Ice grey **

* Ayous veneer

** Okume Veneer



USF MOFFITT CANCER
TAMPA / USA
ALFONSO ARCHITECTS
Prodex • Rustik

VIPER S STRIKE SMALL VIPER LUMINAIRE

Cat.# VP-S-60L-136-3K7-4-CTBS-BC

Job
Four Corks

Type
S1



Approvals

SPECIFICATIONS

Intended Use:

The Beacon Viper luminaire is available with a wide choice of different LED Wattage configurations and optical distributions designed to replace HID lighting up to 400W MH or HPS.

Construction:

- Manufactured with die cast aluminum.
- Coated with a polyester finish that meets ASTM B117 corrosion test requirements and ASTM D522 cracking and loss of adhesion test requirements.
- External hardware is corrosion resistant.
- One piece optical cartridge system consisting of an LED engine, LED lamps, optics, gasket and stainless steel bezel.
- Cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one piece optical system.
- Two-piece silicone and micro-cellular polyurethane foam gasket ensures a weather-proof seal around each individual LED.

Electrical:

- 100V through 277V, 50 Hz to 60 Hz (UNV), or 347V or 480V input.
- Power factor is $\geq .90$ at full load.
- Dimming drivers are standard, but must contact factory to request wiring leads for purpose of external dimming controls.
- Component-to-component wiring within the luminaire may carry no more than 80% of rated load and is certified by UL for use at 600VAC at 90°C or higher.
- Plug disconnects are certified by UL for use at 600 VAC, 13A or higher. 13A rating applies to primary (AC) side only.
- Fixture electrical compartment shall contain all LED driver components and shall be provided with a push-button terminal block for AC power connections.
- Surge protection - 20kA.
- Optional 7-pin ANSI C136.41-2013 twist-lock photo control receptacle available. Compatible with ANSI C136.41 external wireless control devices.
- Lifeshield™ Circuit - protects luminaire from excessive temperature. The device shall activate at a specific, factory-preset temperature, and progressively reduce power over a finite temperature range. Operation shall be smooth and undetectable to the eye. Thermal circuit is designed to "fail on", allowing the luminaire to revert to full power in the event of an interruption of its power supply, or faulty wiring connection to the drivers. The device shall be able to co-exist with other 0-10V control devices (occupancy sensors, external dimmers, etc.).

Controls/Options:

- Available with an optional passive infrared (PIR) motion sensor capable of detecting motion 360° around the luminaire. When no motion is detected for the specified time, the Motion Response system reduces the wattage to factory preset level, reducing the light level accordingly. When motion is detected by the PIR sensor, the luminaire returns to full wattage and full light output. Please contact Beacon Products if project requirements vary from standard configuration.
- Available with Energeni for optional set dimming, timed dimming with simple delay, or timed dimming based on time of night (see www.beaconproducts.com/products/energeni).
- In addition, Viper can be specified with SiteSync™ wireless control system for reduction in energy and maintenance costs while optimizing light quality 24/7. For more details, see ordering information or visit: www.hubbelling.com/sitesync

Installation:

- Mounting options for horizontal arm, vertical tenon or traditional arm mounting available. Mounting hardware included.

Finish:

- IFS polyester powder-coat electrostatically applied and thermocured. IFS finish consists of a five stage pretreatment regimen with a polymer primer sealer and top coated with a thermoset super TGIC polyester powder coat finish.
- The finish meets the AAMA 2604 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance and resists cracking or loss of adhesion per ASTM D522 and resists surface impacts of up to 160 inch-pounds.

Certifications/Ratings:

- DesignLights Consortium (DLC) qualified, consult DLC website for more details: <http://www.designlights.org/QPL>
- Certified to UL 1598, UL 8750 and CSA C22.2 No.250.0
- IDA approved
- This product is approved by the Florida Fish and Wildlife Conservation Commission. Separate spec available at: <http://www.beaconproducts.com/products/vipersync>

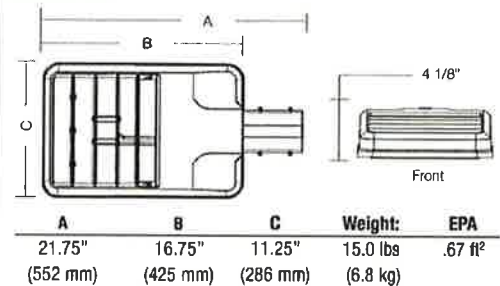
Warranty:

Five year limited warranty for more information visit: www.hubbelling.com/resources/warranty

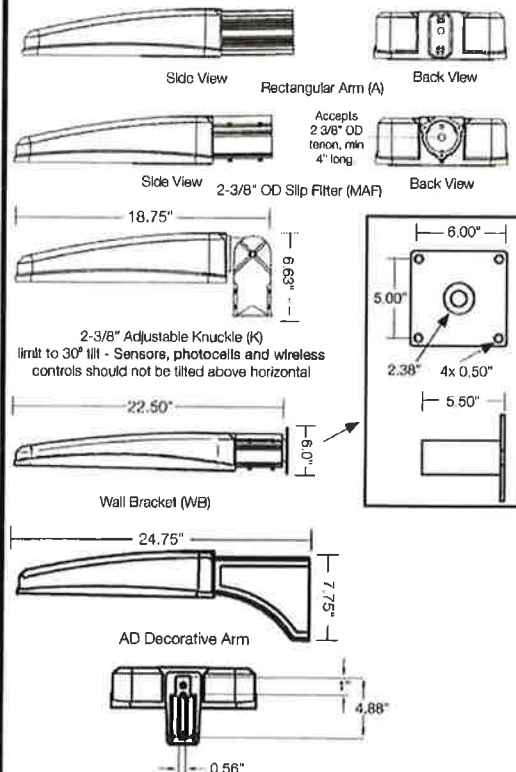
PRODUCT IMAGE(S)



DIMENSIONS



MOUNTING OPTIONS



CERTIFICATIONS/LISTINGS



*3000K and warmer CCTs only



Beacon Products • 2041 58th Avenue Circle East Bradenton, FL 34203 • Phone: 800-345-4928

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

© 2017 BEACON PRODUCTS. All Rights Reserved • For more information visit our website: www.beaconproducts.com • Printed in USA AUGUST 7, 2018 10:22 AM



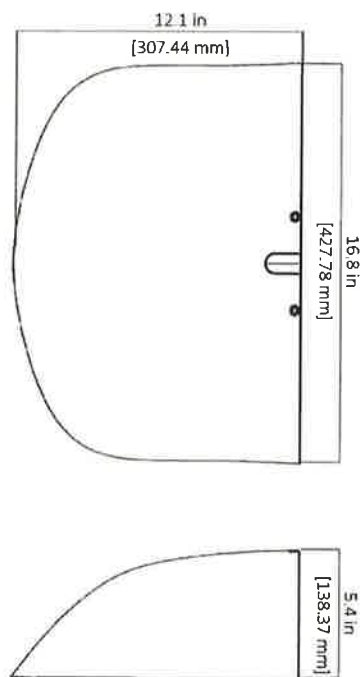


Project Four Corks
 Type WP
 Catalog No. ESI 24H MV WW W CTBS 700

Eseta™ LED Wall Sconce ES

Luminaire Data

Weight 9.9 lbs [4.5 kg]
 14.6 lbs [6.5kg] with EM, MS options



Ordering Information

Sample Catalog No. ESI 24H MV NW W BK 700 EM

Product	No. & Type of LEDs	Voltage		Color Temperature ¹		Distribution		Finish ²		Drive Current ³		Options	
ES1	24H 48H	MV	120-277V	WW	3000K	W	Wide	BK	Black	350	350mA	PC	Photo Control
		HV	347-480V	NW	4000K	FT	Forward Throw	DB	Dark Bronze	530	530mA	MSL2 ⁴	Motion Sensor, L2 Lens
				CW	5000K					700	700mA	MSL3 ⁴	Motion Sensor, L3 Lens
												EM ⁵	Emergency Battery System
												FSIR100	Motion Sensor Configuration Tool

Notes:

- Consult factory for other color temperatures.
- Consult factory for non-standard finish options.
- Factory set drive current, non-field adjustable. 700mA is not available for 48H version. Refer to performance data on page 2. Consult factory for other drive current options.
- Motion Sensor available with MV only. Motion Sensor default setting dims luminaire to 50% when no motion is detected for 5 minutes. Field adjustable settings available using FSIR100 option.
- Emergency Battery System available with MV only. 3-year limited warranty on Emergency Battery System.





6" LED Downlight

LC6SL

1000/1400/1800 Lumens
120V-277V, 347V
0-10V Dimming

APPLICATIONS:

LifeFrame Commercial LC6SL is a 6" commercial grade LED downlight with available outputs between 1000-1800 lumens. This is suitable to replace most CFL downlighting applications, while realizing substantial energy and maintenance savings. Rated for a minimum of 50,000 hours life (70% lumen maintenance) with ambient plenum temperatures up to 35°C. Free Air Flow around the fixture is required for optimal life performance. This product is not recommended for use with 3rd party "FIREHAT" or insulation barriers.

HOUSING:

One-piece 22 gauge non-corrosive steel platform. Pre-wired J-box with snap-on cover for easy access. Snap-in connection from driver compartment allows easy installation of light engine/trim assembly and can be upgraded to accommodate technology improvements. Approved for 8 (4 in/4 out) No. 12 AWG conductors rated for 90°C through wiring.

REFLECTOR:

High purity aluminum, Alzak, iridescence suppressed, semi-diffuse reflector. Self-Trim standard. Painted white self-Trim (WT) available as option.

LED LIGHT ENGINE:

The LC6SL uses mid power Nichia LEDs, specifically mixed to provide a minimum of 80 CRI with 3 SDCM color consistency. The use of multiple mid power LEDs allows for optimal thermal management by effectively spreading the heat over a larger area and eliminating hot spots on the LEDs. A diffuse, yet highly transmissive lens obscures the view of the LEDs and creates a smooth, even look from below. The light engine is available in multiple Kelvin temperatures and the system is designed to provide optimal life and lumen maintenance (50,000 hours at 70% lumen maintenance). The reflector/light engine assembly is mechanically retained to the housing.

LED DRIVER:

The LC6SL utilizes a constant current LED driver. This same driver is capable of running all three different lumen outputs, resulting in a reduction of housing skus and simplified specification. The driver is UL8750, Class II compliant and universal 120V-277V.

DIMMING:

Comes standard with flicker-free 0-10V dimming to 10%. 0-10V to 1% dimming option is also available. See list of compatible dimmers on page (4). For the sizing of the control circuit, the dimming circuit may require up to 2mA of sink current.

INSTALLATION:

Light commercial bar hangers included (not with WWCP option). Universal adjustable mounting brackets also accept 1/2" EMT conduit or 1 1/2" or 3/4" lathing channel (by others) or Prescolite 24" bar hangers (B24 or B6). Wall wash orientation may be field adjusted in 90° increments to housing.

CERTIFICATIONS:

CSA certified to US and Canadian safety standards. Suitable for wet locations (EM, EMR and WW damp location). ENERGY STAR qualified.

WARRANTY:

5 year warranty. See www.prescolite.com for details.

DATE: 08/16/2018

TYPE: CAN

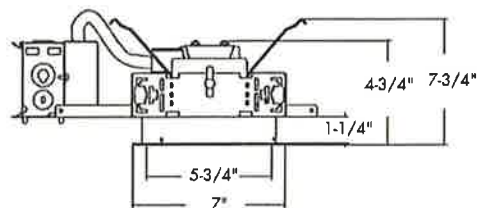
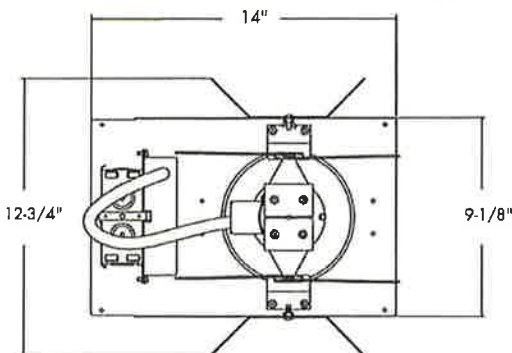
FIRM NAME: ARCHITECTURE PLUS

PROJECT: FOUR CORKS

LifeFrame



Ceiling Cutout: 6 1/4"
Maximum Ceiling Thickness 1 1/4"
For conversion to millimeters,
multiply inches by 25.4
Not to Scale



LC6SL 10L & 14L

*See page 4 for LC6SL 18L line art

*See page 4 for LC6SL EM line art

*See page 4 for LC6SL CP line art

*See page 4 for LC6SL WWCP line art

Order housing, reflector, and accessories separately

CATALOG NUMBER: LC6SL-6LCSL 14L 30K 8

EXAMPLE: LC6SL-6LCSL 14L35K9WT

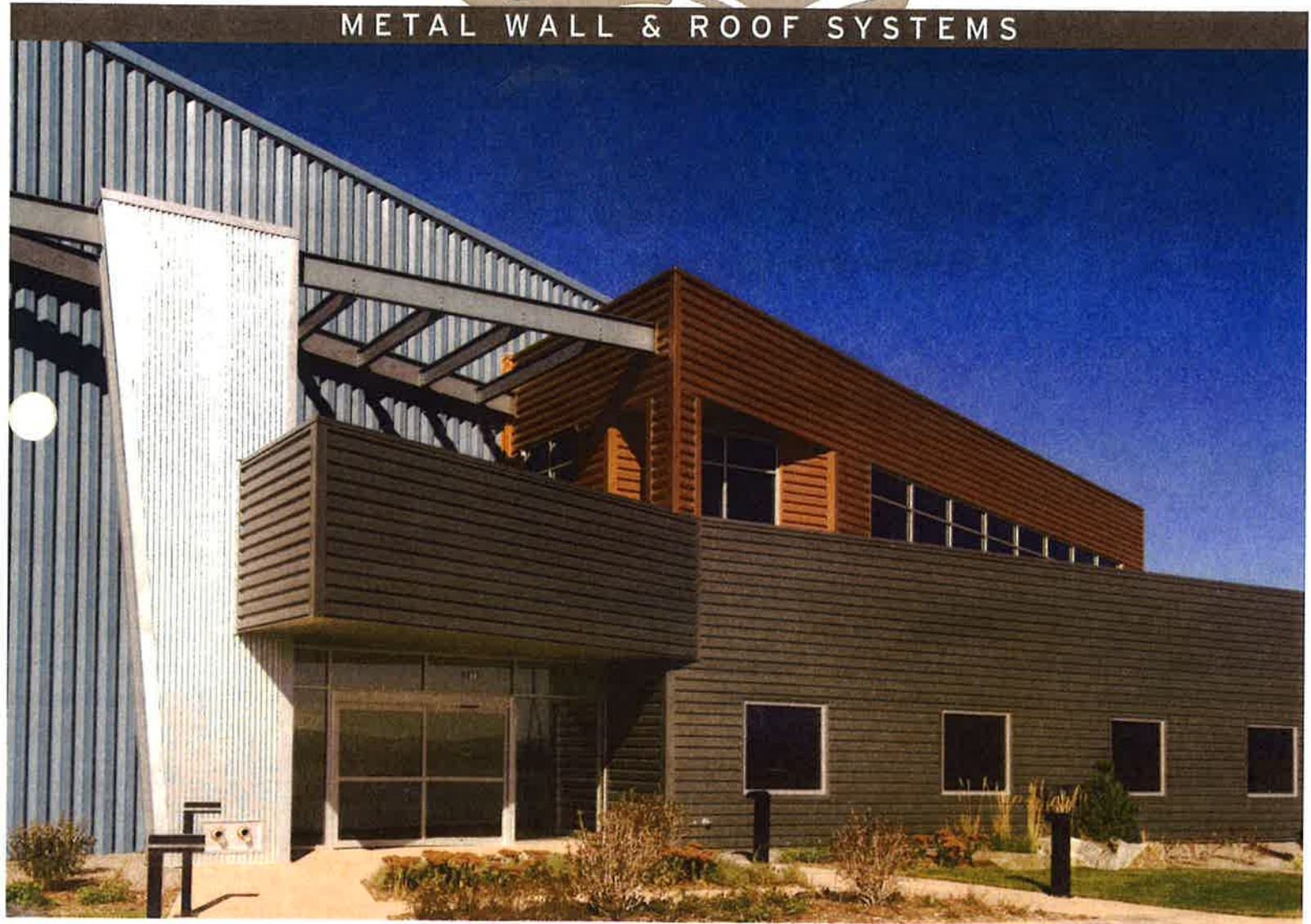
HOUSING	DRIVER OPTIONS	VOLTAGE	HOUSING OPTIONS	TRIM APERTURE	OUTPUT	KELVIN	CRI	REF. FINISH/ COLOR OPTION	REFLECTOR OPTIONS	ACCESSORIES
<input type="checkbox"/> LC6SL Standard Lumen 0-10V Dimming to 10% 120V-277V	<input type="checkbox"/> Standard 0-10V 10% Dimming <input type="checkbox"/> DM1 0-10V 1% Dimming	<input type="checkbox"/> Standard 120V-277V 347V	<input type="checkbox"/> EM^{2,4,8} Integral Battery Pack <input type="checkbox"/> EMR⁴ Remote Battery Pack <input type="checkbox"/> CP^{3,6,8} Chicago Plenum <input type="checkbox"/> WWCP^{3,9} Wall Wash Chicago Plenum Housing	<input type="checkbox"/> 6LCSL Standard Lumen Clear Alzak Reflector	<input type="checkbox"/> 10L 1000 Lumen <input type="checkbox"/> 14L 1400 Lumen <input type="checkbox"/> 18L 1800 Lumen	<input type="checkbox"/> 27K 2700 Kelvin <input type="checkbox"/> 30K 3000 Kelvin <input type="checkbox"/> 35K 3500 Kelvin <input type="checkbox"/> 40K 4000 Kelvin <input type="checkbox"/> 50K 5000 Kelvin	<input type="checkbox"/> 8 80+ CRI <input type="checkbox"/> 9 90+ CRI	<input type="checkbox"/> Standard Semi-Diffuse Clear Alzak <input type="checkbox"/> WH Painted Matte White Reflector and Flange	<input type="checkbox"/> WT Painted White Flange Only <input type="checkbox"/> WF Wide Flange <input type="checkbox"/> WW^{4,5,7} Wall Wash <input type="checkbox"/> EM^{2,4,8} Integral Battery Pack <input type="checkbox"/> CP^{3,6} Chicago Plenum	<input type="checkbox"/> B24 Set of two(2) 24" bar hangers for T-bar ceilings <input type="checkbox"/> B6 Set of two (2) bar hangers for ceiling joist up to 24" centers <input type="checkbox"/> SCA6D Sloped ceiling adapter (see note on page 4) <input type="checkbox"/> LifeGear¹ Inverter, single phase central lighting, 125VA-250VA <input type="checkbox"/> LPS Series¹ LitePower micro-inverter, 20VA- 55VA

¹ See Central Inverter compatibility note and web links on page 4.
² EM must be selected on both the housing and the trim.
³ Not compatible with EM or EMR.
⁴ Damp location only.
⁵ Compatible with EMR only.
⁶ CP must be selected on both the housing and the trim.
⁷ Not compatible with CP.
⁸ Not available with WW option.
⁹ WW must be selected on trim.
¹⁰ Not compatible with WWCP.

Prefabricated Metal Panels with Concealed Fastener Information



METAL WALL & ROOF SYSTEMS



MORIN ARCHITECTURAL METAL WALL & ROOF SYSTEMS

MORIN INTEGRITY SERIES



Integrity Series is an integrated, concealed fastener, rainscreen, wall panel system. The asymmetrical shape of the X-12 panel was created by the well known Japanese architect Fumihiko Maki in the early 1990's. Since then it has become one of the most popular profiles selected by architects for use on buildings of all types.

Thirteen unique profiles

Concealed clip and fastener design

Common joint design allowing multiple panel integration

Weather tight or rainscreen rear ventilated application

Ideal for new or retrofit projects

Smooth surface standard, stucco embossed texture optional

All PVDF painted finishes available

All weather installation

Optional factory caulking available

Panel Depth

7/8" (22mm)

Cover Width

12" (305mm) or 16" (406mm)

Lengths

5' (1.52m) to 30' (9.14m) Standard
Shorter and longer lengths available

Galvalume/Zincalume

Painted Steel Options

18 GA (1.19mm) / 20 GA (.91mm) /
22 GA (.76mm) / 24 GA (.60mm)

Aluminum Options

.050 GA (1.27mm) /
.040 GA (1mm)

Stainless Steel Options

20 GA (.91mm) / 22GA (.76mm) /
24 GA (.60mm)

Zinc Options

18 GA (1.5mm) / 20 GA (1.0mm) /
22 GA (.91mm)

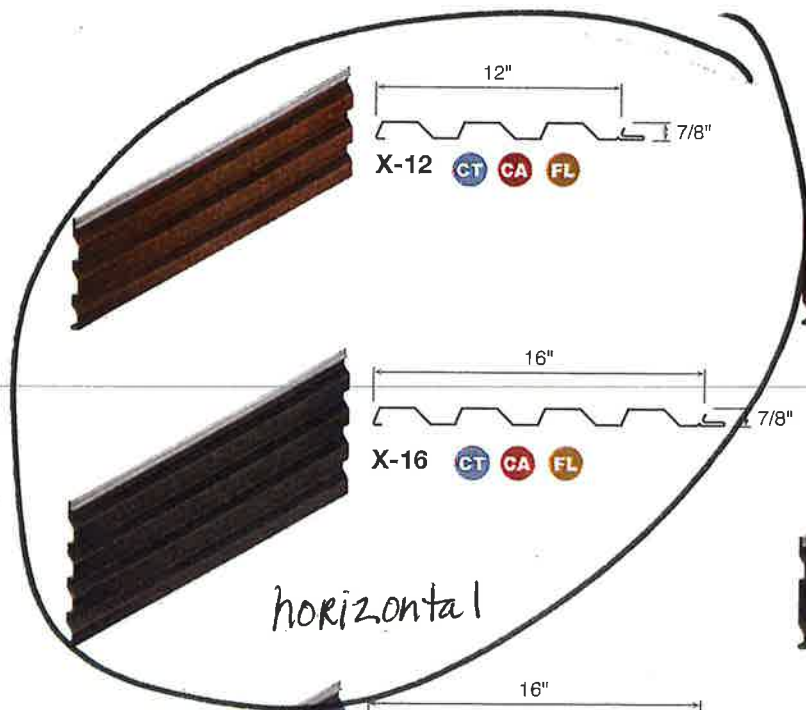
Natural Copper Options

20 oz. / 16 oz.

Application

Horizontal or vertical

Item 6



12"
7/8"
X-12 CT CA FL

16"
7/8"
X-16 CT CA FL

16"
7/8"
XAB-16 CT CA FL

12 or 16"
7/8"
XA-12, XA-16 CT CA FL

12" or 16"
7/8"
XB-12, XB-16 CT CA FL

12"
7/8"
XC-12* CT CA FL

12"
7/8"
XD-12 CT CA FL

12" or 16"
7/8"
XE-12, XE-16 CT CA FL

12" or 16"
7/8"
XF-12, XF-16 CT CA FL

12"
7/8"
XG-12 CT CA FL

16"
7/8"
S-16 CT

Clip Detail



*Heavier gauges suggested

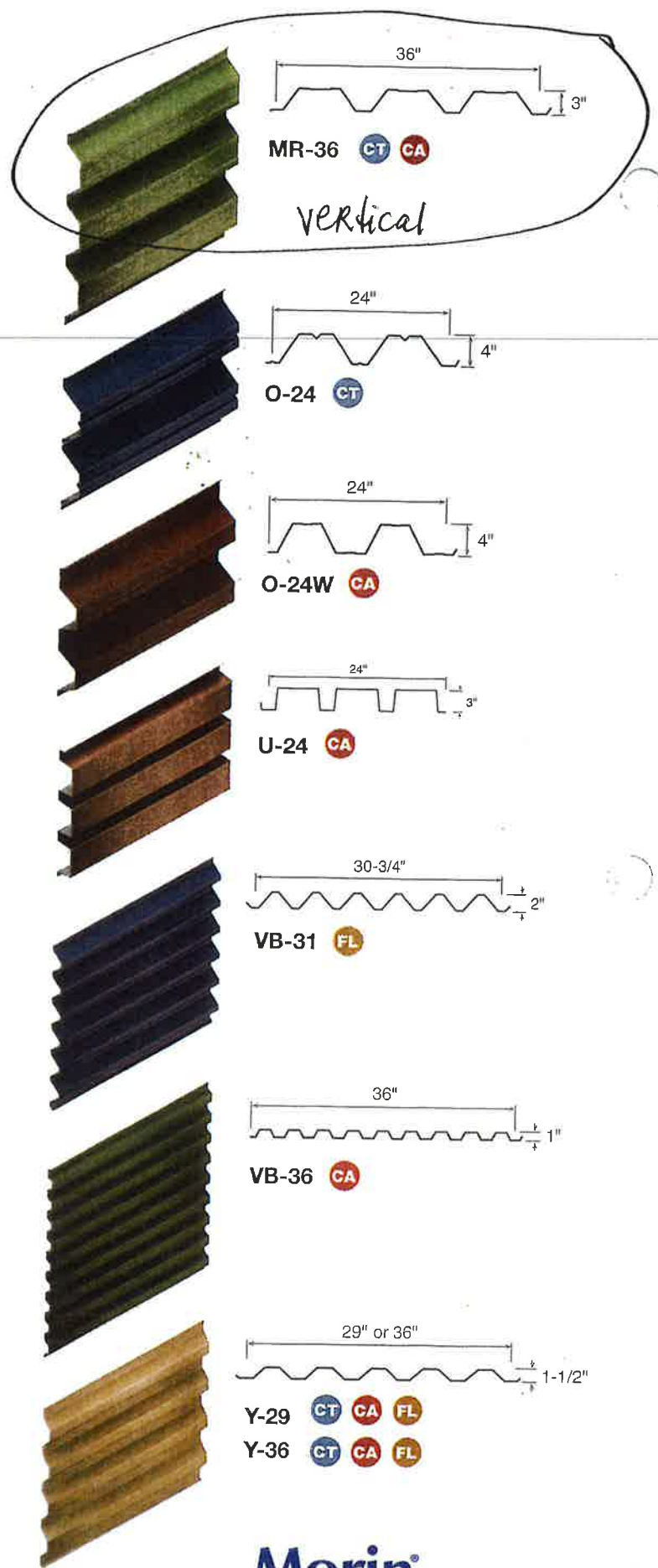
Morin®

A Kingspan Group Company

HQ / East 685 Middle Street, Bristol, CT 06010, 1-800-640-6501
West 10707 Commerce Way, Fontana, CA 92337, 1-800-700-6140
South 1975 Eldson Drive, Deland, FL 32724, 1-800-640-9501
www.morincoro.com

Locations of individual Panel Manufacturing:

CT Connecticut CA California FL Florida



Morin®

A Kingspan Group Company

GRANITSTONE® Granitstone® coatings have an oven-baked epoxy primer and a factory applied finish of an air-dried 100% acrylic bonder with natural silica aggregate, minimum 12 mils dry film thickness, finished to resemble sprayed stucco.

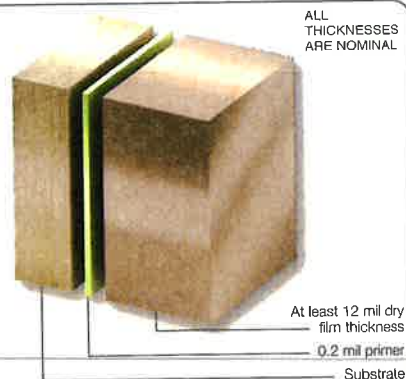


IMPERIAL WHITE

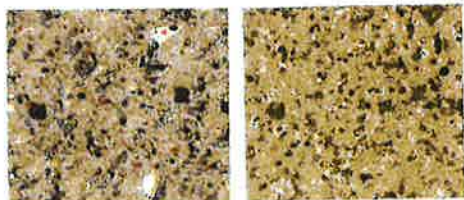
SANDSTONE

SURREY BEIGE

RAWHIDE

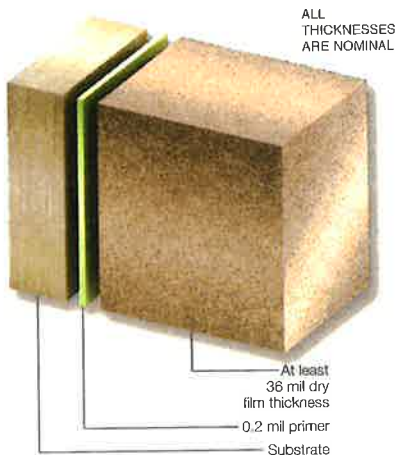


GRANITSTONE QUARTZ



DAKOTA BRONZE

FOXWOOD BEIGE



RHEINZINK® ALLOYS



PRE-WEATHERED
BLUE GRAY

PRE-WEATHERED
GRAPHITE GRAY

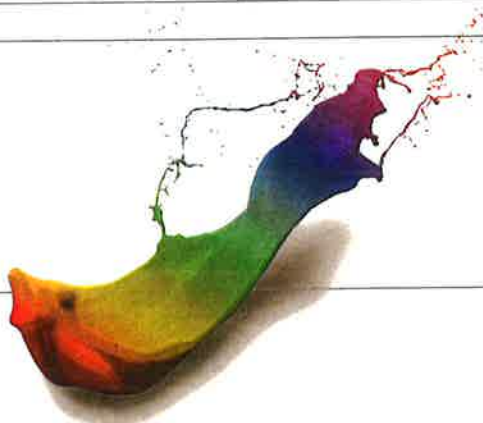
RHEINZINK®

RHEINZINK® is the trade name for a titanium zinc alloy, manufactured in the form of thin gauge sheet metal, used for roofing and facade cladding. RHEINZINK® is 99.995% pure electrolytic special high-grade zinc alloyed with small quantities of titanium and copper. RHEINZINK®'s unique "Pre-weathered" alloys develop a natural protective patina with life expectancies up to 200 years.



CUSTOM COLOR MATCHING AVAILABLE

Morin makes it easy to add protection and visual distinction to your next project. Our state-of-the-art color and paint facility can achieve virtually any tint, shade or finish to your specifications, quickly and accurately. To get started, contact our experienced sales representatives today for details.



SR (Solar Reflectivity)

This is the ability of a material to reflect solar energy back into the atmosphere. Rated on a scale from 0 to 1, where 1 is the most reflective.

E (Emissivity)

Emissivity is the materials ability to release absorbed energy back into the atmosphere. Rated on a scale from 0 to 1, where 1 is the most emissive.

SRI (Solar Reflective Index)

This is used to determine compliance with LEED® requirements and is calculated according to ASTM E 1980 using values for reflectance and the materials ability to release absorbed energy (emissivity) in medium wind speed conditions. Rated on a scale from 0 to 100, where 100 is the most reflective.

Color chips are shown within limits of chip reproduction, but are not necessarily absolute. Color chips are available in process and during production. Color chip samples are available. Metameric colors (colors that appear to be the same color but have different spectral reflectance) are used to minimize color errors. All material for the project should be painted together.

For more information, contact your local Morin sales representative.

Memo

To: City Planning Commission

From: Planning Staff

Date: August 28, 2018

Re: Remote Parking Agreement - A request by Nicole Swanson, agent for Hutchinson Court Commercial, LLC, for a remote parking agreement for Hutchinson Court Commercial, LLC at 7910 South Zero Street in a Commercial Moderate (C-3) Industrial Light zoning district

The Planning Department is in receipt of the subject remote parking request. This request will allow Hutchinson Court Commercial, LLC to use 8 parking spaces in the parking lot at 7950 South Zero St. (Lot 1A).

The Hutchinson Court Commercial, LLC development at 7910 South Zero St. is adding a tenant that will require more parking spaces from that which is available on their property. Approval of the remote parking will provide the minimum number of required off street parking spaces for their development at 7910 South Zero St.

Factors relating to remote parking:

1. Remote parking must be located within 300 feet of the facility it serves.
2. The parking agreement must be approved by the Planning Commission and filed with the Sebastian County Clerk. Any change to the agreement must be approved by the Planning Commission.

Any significant changes to the parking agreement that will alter the ability of Hutchinson Court Commercial, LLC to use the 8 parking spaces will require Hutchinson Court Commercial, LLC to otherwise obtain the necessary parking for their development at 7910 South Zero St. The change or relocation of any required parking spaces must be approved by the Planning Department or Planning Commission.

A draft version of the parking agreement is enclosed.



5102 SOUTH PINNACLE HILLS PARKWAY
ROGERS, AR 72758
WWW.ERC.COM

August 28, 2018

City of Fort Smith
Attn: Wally Bailey
PO Box 1908
Fort Smith, AR 72901

Mr. Bailey,

As the owner of lot 2, Huntington Chase Commercial Park in Fort Smith, Hutchinson Court Commercial, LLC is requesting to be added to the September Planning Commission agenda.

We will be requesting approval for Remote Parking (UDO Section 27-601-11) for The Landing commercial building located at 7910 Zero Street.

A draft of the Parking Agreement and the proposed adjacent development will be provided for Planning Commission review before the scheduled study session.
Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Swanson".

Nicole Swanson
Hutchinson Court Commercial, LLC

DRAFT

SHARED USE AGREEMENT FOR PARKING FACILITIES

This Shared Use Agreement for Parking Facilities, entered into this ____ day of August, 2018, between Four Corks, LLC, (hereinafter called "lessor") and Hutchinson Court Commercial, LLC, (hereinafter called "lessee").

In consideration of the covenants herein, lessor agrees to share with lessee certain parking facilities that are situated at property located in the City of Fort Smith, Sebastian County, Arkansas, more formally known as Lot 1 of Huntington Chase Commercial Park, Addition to the City of Fort Smith. The parties further agree as follows:

1. **USE OF FACILITIES.** Lessee shall have the non-exclusive use of up to eight (8) parking spaces on lessor's property ("the facilities").
2. **TERM.** The facilities shall be shared commencing with the ____ day of August, 2018, and ending at the agreement of the parties. However, should the nature of the enterprise operated by the lessee, as represented to lessor at the time of this agreement, fundamentally change, this agreement shall automatically terminate absent the written consent of the lessor.
3. **MAINTENANCE.** Lessor shall provide, as reasonably necessary, asphalt repair work, striping, seal coating and lot sweeping. Lessor shall maintain lot and landscaping at or above the current condition, at no additional cost to the lessee.
4. **UTILITIES and TAXES.** Lessor shall pay all taxes and utilities associated with the facilities, including maintenance of existing facility lighting as directed by standard safety practices.
5. **COOPERATION.** Lessor and lessee agree to cooperate to the best of their abilities to mutually use the facilities without disrupting the other party. The parties agree to meet on occasion to work out any problems that may arise to the shared use.
6. **INSURANCE.** At their own expense, lessor and lessee agree to maintain liability insurance for the facilities, and their own respective personal property, as is standard for their own business usage.
7. **LIABILITY.** Lessor will not be liable to lessee, lessee's agents, employees, guests, invitees, customers, or other occupants for any damage or loss to person, entity, or property caused by the other persons, including theft, burglary, assault, vandalism, or other torts or crimes. Lessor will not be liable to lessee, or any of Lessee's agents, employees, guests, invitees, customers or other occupants for personal injury or for damage to or loss of their personal property from fire, flood, water leaks, rain, hail, ice, snow, smoke, lightning, wind, explosion, interruption of utilities or other occurrences unless such injury, loss, or damage is caused by the negligence of Lessor. Lessee acknowledges that any security measure provided by lessor should not be treated by lessee as a guarantee against crime, but are provided for the purpose of protecting the physical property of the lessor and not to guarantee the safety of lessee or its property.

DRAFT

8. INDEMNIFICATION. Lessee will indemnify, defend, and hold harmless lessor from and against any and all loss, cost, claims, damages, actions, liability and expense, including attorneys fees and litigation costs, in connection with loss of life, personal injury and damages to property, tangible or intangible, including the facilities, and any personal property brought onto the facilities, arising from or out of any occurrence in, upon or at the facilities, or the occupancy or use by lessee of the facilities or any part thereof, or occasioned wholly or in part by any act or omission of lessee, lessee's agents, employees, invitees, guests, contractors, or customers. In the event lessor, shall, without fault on its part, be made a party to any litigation commenced by or against lessee, then the lessee shall indemnify, defend and hold lessor harmless and shall pay all reasonable costs, reasonable expenses and attorney's fees that may be incurred or paid by lessor in enforcing the covenants and agreements in this Agreement.

9. ASSIGNMENT. The rights conferred by this Agreement shall be personal to the lessee, and shall not be assignable without the express written consent of lessor.

10. ENTIRE AGREEMENT. This Agreement supersedes any other agreement, whether written or oral, that may have been made or entered into by any party relating to the matters contemplated hereby. This Agreement constitutes the entire agreement by and among the Parties and there are no agreements or commitments by or among such Parties except as expressly set forth herein.

Lessor: Four Corks, LLC

by: _____

David M. Harper

Date: _____

Lessee: Hutchinson Court Commercial, LLC

by: _____

Rod Coleman

Date: _____

Off-Site Parking 7910 South Zero Street

